

# AG Jackley States Lawsuit Will Not Eliminate Section 504 School Disability Accommodations



**PIERRE, S.D. – Attorney General Marty Jackley states a lawsuit filed by States to not list gender dysphoria as a disability will not impact SD school age children with disabilities.**

Date published: 02/14/2025

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**FOR IMMEDIATE RELEASE: Friday, Feb. 14, 2025**

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**Attorney General Jackley States Lawsuit Will Not Eliminate School Disability Accommodations Under Section 504**

**PIERRE, S.D. – South Dakota Attorney General Marty Jackley states a lawsuit filed by States to not list gender dysphoria as a disability will not impact South Dakota school age children with disabilities who receive services under Section 504 of the Rehabilitation Act of 1973.**

“This lawsuit only centers on whether the Biden Administration’s listing of gender dysphoria is appropriate and not on the entire Section 504,” said Attorney General Jackley. “Disabled students will continue to receive the services they were provided before the lawsuit was filed.”

South Dakota was one of 17 states who joined a Texas lawsuit in 2024 challenging a Biden administration categorization of gender dysphoria as a disability under Section 504. The Biden Rule would have required schools and universities to allow boys to use girls’ bathrooms and showers and live in girls’ dormitories, to allow males to compete in girls’ and women’s sports, and require teachers and students to use confusing sex pronouns.

On Jan. 2025, President Trump has signed an executive order removing “gender identity disorders” from Section 504.