§ 20.4 Rules against age discrimination.

The rules stated in this section are limited by the exceptions contained in §20.5.

(a) General rule: No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

(b) Specific rules: A recipient may not, in any program or activity receiving Federal financial assistance, directly or through contractual licensing, or other arrangements, use age distinctions or take any other actions which have the effect, on the basis of age, of:

(1) Excluding individuals from, denying them the benefits of, or subjecting them to discrimination under, a program or activity receiving Federal financial assistance, or

(2) Denying or limiting individuals in their opportunity to participate in any program or activity receiving Federal financial assistance.

(c) The specific forms of age discrimination listed in paragraph (b) of this section do not necessarily constitute a complete list.

(d) If a recipient operating a program or activity provides special benefits to the elderly or to children, such use of age distinctions shall be presumed to be necessary to the normal operation of the program or activity, notwithstanding the provisions of §20.5.

§ 20.5 Exceptions to the rules.

(a) Normal operations or statutory objective of any program or activity. A recipient is permitted to take an action otherwise prohibited by §20.4 if the action reasonably considers age as a factor necessary to the normal operation or the achievement of any statutory objective or statutory objective of any program or activity.