

Family, School and Community Partnerships Department

746 Grand Ave, Oakland, CA 94610

(510) 273-1500

The OUSD Family, School and Community Partnerships Department handles the following student services:

- After School
- Attendance & Discipline Support Services
- Behavioral Health
- Health & Wellness
- Juvenile Justice Center/Transition Center
- Social-Emotional Learning
- Student Assignment Center
- Student & Family Engagement
- Summer Learning
- Transitional Student & Families
- Translation Services

Do you have questions about 504 Plans?

Each school has a staff member who serves as the 504 Coordinator. This person handles all 504 Plans at the school and is the main contact for parents. Call the school and ask for the 504 Coordinator.

There is also a District 504 Coordinator who monitors the 504 process at all OUSD schools (Barbara Parker, District 504 Coordinator (504@ousd.k12.ca.us; (510) 273-1510; 746 Grand Avenue, Oakland, CA 94610).



A GUIDE FOR PARENTS: 504 Plans for students with disabilities

Section 504 is part of a U.S law that prohibits schools from discriminating against students with disabilities. This law also says that schools must meet the educational needs of students with disabilities as adequately as they meet the educational needs of students who don't have disabilities.

When a student with a disability has a 504 Plan, the plan tells what the school will do to help make sure it is meeting the individual educational needs of the student.

If you think your child should have a 504 Plan, this booklet explains the requirements and tells what you can do.



Revised 8/11/2014

504 Plans

What is Section 504?

Section 504 is a civil rights law that prohibits schools from discriminating against students with disabilities.

To prevent discrimination, our schools must provide students with disabilities the same chance to benefit from school programs, services, and activities as students without disabilities.

Section 504 also requires schools to meet the individual educational needs of students with disabilities as adequately as the needs of students who don't have disabilities. Sometimes, this means the school will develop a "504 Plan" for a student with a disability.

What is a 504 Plan?

If a student with a disability meets certain requirements, the school develops a 504 Plan for him or her.

A 504 Plan tells what the school will do to help make sure that the individual educational needs of a student with a disability are being met. These ways of helping a student with a disability are sometimes called "accommodations." A 504 Plan might also include special services required by the student.

The plans can vary a lot, because each 504 Plan is designed to meet the needs of an individual student.

Which students can have a 504 Plan?

In order to have a 504 Plan, a student must meet all 3 of these requirements:

- 1. The student must have a *physical or mental impairment that gets in the way of learning or participating in school programs or activities.***

The "physical or mental impairment" can be any physical or mental condition or problem. It can be something that lasts for a long time, for a short time, or it might come and go.

Examples of impairments include: Attention Deficit Hyperactivity Disorder (ADHD); mental or psychological disorder; cancer; chronic asthma; diabetes; seizure disorder; or a learning disability.

- 2. The student's impairment must affect at least one "major life activity."** "Major life activities" include such things as seeing, hearing, eating, sleeping, breathing, speaking, walking, thinking, learning, and working. "Major life activities" also include the operation of major bodily functions such as normal cell growth, the immune system, and bowel, bladder, endocrine, neurological, and circulatory functions.

- 3. The impairment must substantially limit a major life activity.**

The determination of whether an impairment substantially limits a major life activity requires an individualized assessment, but not extensive analysis. An impairment does not have to prevent or severely or significantly limit a major life activity to be considered "substantially limiting."

If the visual impairment can be fully corrected by the use of ordinary eyeglasses or contact lenses, it will not be considered to substantially limit seeing.

How do students get a 504 Plan?

There is a staff member at each school who serves as the 504 Coordinator and handles the 504 Plans at that school. If someone thinks a student might have an impairment that meets the requirements for having a 504 Plan, the 504 Coordinator will follow up.

Usually, it's a parent, teacher, school nurse, or other school staff who tells the school's 504 Coordinator about a student who might need a 504 Plan.

If you think your child might need a 504 Plan, what should you do?

Contact your child's school

To get things started, talk with the 504 Coordinator at your child's school. (Call the office at your child's school and ask for the 504 Coordinator.)

The 504 Coordinator will help you with the paperwork for requesting a "504 Assessment" to see if your child meets requirements to have a 504 Plan. The 504 Coordinator will review your request for a 504 Assessment and get back to you within 15 days.

- If the District believes that your child should have a 504 Assessment, the 504 Coordinator at your child's school will give you paperwork that tells how the school will conduct the assessment. You must sign and return this paperwork to the school and then the assessment will begin.
- The District might decide that a 504 Assessment is *not* needed. If you disagree with this decision, you have the right to make an appeal (a later section on your rights tells more about this).

If your child has a 504 Assessment, what happens next?

During the 504 Assessment, the 504 Coordinator will gather information from you, including any written documentation about your child that you wish to share, your child's school records, and school staff who are familiar with the needs of your child. School staff might also arrange for testing to get a better understanding of your child's educational needs.

The next step is to have a 504 team meeting to review all of the information about your child's needs and decide whether your child meets the requirements to have a 504 Plan. This meeting will include you, the 504 Coordinator, your child's teachers, and other school staff who work with your child, such as the school counselor or school nurse.

- If your child meets the requirements, the team will develop a 504 Plan for your child during the meeting. This plan tells what the school will do to help make sure that your child's individual educational needs are met at school. The 504 Coordinator will give you and others a copy of the plan.
- If you disagree with the 504 Plan that the 504 Team developed or if the 504 Team decides that your child does *not* meet the requirements to have a 504 Plan, you have the right to make an appeal (a later section on your rights tells more about this).

The 504 Coordinator monitors 504 Plans

If your child has a 504 Plan, the school's 504 Coordinator will check from time to time to make sure the plan is being followed and that your child's 504 Team is reviewing the plan each year. In addition, the 504 Coordinator will check with you and others from time to time to see how well the 504 Plan is working and whether it needs changing.

What are your rights?

The school must consider your request

As a parent or guardian, you have the right to have the school staff consider whether your child might need a 504 Plan, based on information from a variety of sources.

The school must make information available to you

- You have the right to get all information in your native language in the main way that you communicate.
- You have the right to examine all records about your child's 504 Plan or request for a 504 Plan.
- You have the right to be told ahead of time about any actions the school is planning to take that are related to your child's 504 Plan or request for a 504 Plan.
- You have the right to have your child's 504 Plan reviewed and evaluated on a regular basis. You have the right to be told before any major changes are made to the services your child is getting under his or her 504 Plan.

Discipline process for students with a 504 Plan

If a student with a 504 Plan behaves in ways that may lead to being expelled, or to being suspended for a total of 10 days or more during the school year, a meeting must be held. The purpose of this meeting is to decide whether the student's behavior was a direct result of the disability that is named in the student's 504 Plan, and if so, what discipline is appropriate. For more information about this process, ask the 504 Coordinator.

What if you disagree with a decision?

If you disagree with a decision or with something the school plans to do, you have the right to an impartial hearing (a fair hearing). You have the right to have a lawyer with you at the hearing if you want to. If you have a hearing and you disagree with the decision made by the official who conducts the hearing, you have the right to appeal the decision (see below).

Making an appeal

Making an appeal means following a specific procedure to ask that a decision be changed. You can make an appeal if you think your child needs a 504 Plan and the District doesn't, or if you and the District disagree on what kinds of accommodations for your child's disability are included in the 504 Plan. You can also make an appeal if your child has a 504 Plan and you disagree with the District about your child being expelled or suspended from school.

To make an appeal, contact Joanna Locke, Director of Health and Wellness, OUSD (Joanna.Locke@ousd.k12.ca.us; (510) 273-1578; 746 Grand Avenue, Oakland, CA 94610).

Making a complaint

If you think OUSD has not followed the 504 process properly, you can make a complaint. You can also make a complaint if your child has a 504 Plan and you think your child has been discriminated against. To file a complaint, contact Barbara Parker, District 504 Coordinator, OUSD (504@ousd.k12.ca.us; (510) 273-1510; 746 Grand Avenue, Oakland, CA 94610). Or you can file a complaint by contacting the Office for Civil Rights. Call (415) 486-5555, email at ocr.sanfrancisco@ed.gov, or visit <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.