

Due Process

- Parent notification will include information regarding all rights and appeal procedures related to site 504 Team decisions.
- The parent/guardian shall have the opportunity to examine relevant records.
- A written appeal must be sent within 30 days of the decision to:

504 Office
5465 El Cajon Blvd., B2
San Diego, CA 92115

- An impartial hearing will be held to resolve differences when they cannot be resolved by means of a less formal process.
- Within twenty (20) calendar days of receipt of a written appeal and request for hearing, the district's Section 504 Office will select an impartial hearing officer.
- Within forty-five (45) calendar days of the selection of the hearing officer, excluding days of any continuance, the hearing on the appeal shall be conducted and a written decision mailed to all parties.



Initiating a Complaint

If any person believes that the school or any of the school's staff have inadequately applied the regulations of Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act, 1990, he/she may bring forward a complaint in one of the following ways:

- A. Follow the school's grievance plan*:
 1. Fill out grievance form that can be obtained from the school. It is provided in the *504 Guidelines for Educators* manual.
 2. Give the completed grievance form to either the site administrator or the site 504 coordinator, who shall in turn investigate the complaint.
- B. Fill out grievance form found in the *504 Guidelines for Educators* manual. Forward the completed form to:

504 Office
5465 El Cajon Blvd., B2
San Diego, CA 92115
- C. File a complaint with the Office for Civil Rights. An explanation of this procedure can be obtained at the school site. It is provided in the *504 Guidelines for Educators* manual located on SDUSD web under Handbooks and Guides.

** Please note: a complaint can be made to the Office for Civil Rights without first moving through the school's grievance procedures. However, the grievance procedures may provide a prompt and equitable resolution of a complaint.*

Section 504 of the Rehabilitation Act of 1973



**For further information, contact
the district's
Section 504 Office
at
(619) 344-6420
or
your school's
Site 504 coordinator**

What is Section 504?

Section 504 is the section of the Rehabilitation Act of 1973 that applies to persons with disabilities. Basically, it is a civil rights statute that prohibits schools and other institutions that receive federal funds from denying educational participation and benefits to persons with disabilities.

How does Section 504

define disability?

A student is eligible under Section 504 if he/she:

- has a physical or mental impairment that *substantially* limits one or more major life activity, including learning; or
- has a record of such impairment; or
- is regarded as having such impairment.

What is a site 504 Team?

The site 504 Team is composed of the site 504 coordinator, parent/guardian and other professionals knowledgeable about the student and able to interpret a variety of data. This team will evaluate student needs and develop necessary plans.

Section 504 Referral Procedures

1. Administrators, students, counselors, teachers, parents/guardians may refer a student for Section 504 evaluation.
2. Each school's 504 Team will process student referrals using the following guidelines:
 - Parent Notification - Provide written notification to parents; invite to 504 meeting
 - Evaluation - Conduct an evaluation of the student and their needs using a variety of data derived from both formal and informal assessment procedures
 - Determine if the student meets 504 eligibility requirements
 - Plan Development - Develop a 504 plan for student accommodations
Implementation (Placement) - Provide school personnel with a copy of student forms and accommodation plan
 - Parent Notification - Inform parent/guardian of plan and of due process rights and procedures
 - Monitor/Re-evaluation - Modify plan as needed, or at least annually

Procedures for Facilities Modification (Students)

1. Principal or designee examines site to determine current accommodations and needs related to students with disabilities.
 2. Problems/concerns are reviewed with site administrator. Principal submits Work Order form to Maintenance indicating "504/ADA*" under reasons for request.
 3. Maintenance sends the Work Order to the district 504 Office for 504/ADA committee review.
 4. The 504/ADA committee reviews the Work Order (approves, denies, requests more information). Site is notified of action.
 5. Maintenance/Architect's office estimates the cost of the approved Request for Service.
 6. After estimate is completed, Maintenance forwards the Work Order to 504 office for 504/ADA committee review.
 7. District 504/ADA committee reviews request and, if approved, priority designation is assigned as appropriate.
 8. Work Order is assigned a budget number.
 9. Principal or designee notified of action.
 10. Work Order forwarded to Maintenance for action.
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- The Americans with Disabilities Act (ADA) was signed into law in July 1990, and seeks to eliminate discrimination against individuals with disabilities. It ensures equal access to facilities and instruction.
 - ADA and Section 504 are both civil rights laws that protect individuals with disabilities.

The 504 Parent Booklet and forms are available at each school site and "ADA/504 Support Materials" at sandiegounified.org/adasection-504

