

Oroville Union High School District

Section 504 of the Rehabilitation Act of 1973

The Oroville Union High School District does not discriminate on the basis of race, color, national origin, gender, sexual orientation, age or disability in admission or access to, or treatment or employment in its programs and activities.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities in any program receiving federal financial assistance. The Americans with Disabilities Act (ADA) applies to employers with 15 or more employees.

The definition of an individual with a disability under both laws is a person who has a mental or physical impairment which substantially limits one or more major life activities, such as seeing, hearing, speaking, breathing, learning or working; or has a record of such impairment; or is regarded as having an impairment.

The district will evaluate, identify and provide free appropriate education to all students who are individuals with disabilities under Section 504 of the ADA. Parents or guardians of these students are entitled to procedural safeguards, including individual notice and an impartial hearing.

The district will furnish auxiliary aids and services to students who have disabilities to the extent necessary for the student to receive a free and appropriate education. In addition, the district will make reasonable accommodations to ensure that disabled students benefit from extracurricular activities to the same degree as non-disabled peers.

Parent/Student Rights

The following is a description of the rights granted by federal law to students with disabilities. These laws are codified at 29 U.S.C. sections 706 (7) and section 794; 34 C.F.R. Part 104, 20 U.S.C. section 1232g and 34 C.F.R. Part 99. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to:

- Have your child take part in, and receive benefits from public education programs without discrimination because of his/her handicapping condition.
- Have the Oroville Union High School District advise you of your rights under federal law.
- Receive notice with respect to identification, evaluation and placement of your child.

- Have your child receive a free, appropriate, public education (FAPE). This includes the right to be educated with non-handicapped students to the maximum extent possible.
- Have your child educated in facilities and receive services comparable to those provided non-handicapped students.
- Have your child receive special education and related services if he/she is found to be eligible under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973.
- Have evaluation, educational and placement decisions made that are based upon a variety of information sources, and by persons who know the student and are familiar with the evaluation data and placement options.
- Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if your child were placed in a program within the school district.
- Have your child be given an equal opportunity to participate in non-academic and extra-curricular activities offered by the district.
- Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program and placement.
- Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
- A response from the school district to reasonable requests for explanations and interpretations of any item in your student's records.
- Ask for an amendment or change to any report on the grounds that it is inaccurate, misleading or violates your child's rights.
- Receive periodic re-evaluations and evaluations before there is a significant change in your child's placement.
- Request mediation or an impartial due process hearing if you disagree with the school district's proposed action. As an active participant in this process, you also have the right to be represented by counsel in the impartial hearing process. You also have the right to appeal the impartial hearing officer's decision.

Grievance Procedures

The Oroville Union High School District is committed to providing equal access and a free and appropriate education for all students. Any alleged discriminatory practices within the scope of Section 504 or the Americans with Disabilities Act should be address through the grievance procedure as follows:

1. An individual who believes that he/she has a valid basis for grievance under Section 504 or under the ADA shall informally discuss the complaint with the district's Section 504 Coordinator. The coordinator will investigate and document the complaint (including the dates of meetings and outcomes) and give a written reply to the Complainant within five working days of meeting with the Complainant.
2. If the complaint is not satisfactorily resolved through Step 1, the Complainant should file a written grievance. In order to be processed, the written complaint must fully set forth the circumstances preceding the grievance and must be submitted to the Section 504 Coordinator for filing within five working days of the disposition of Step 1. Within five working days of receipt of the written complaint, the Section 504 Coordinator will appoint a hearing officer to resolve the grievance. The hearing officer will conduct a grievance hearing within 15 working days of his/her appointment. The parent(s) or guardians and/or student will be given a full and fair opportunity to present evidence related to the pending grievance. The parties are entitled to representation by advocates or legal counsel at their own expense. The hearing officer will present his/her written decision to the district Section 504 Coordinator and Complainant within 10 working days of completion of the hearing.
3. If the Complaint is not satisfactorily resolved through Step 2, the Complainant may file a written appeal to the Governing Board of Trustees. To be considered, the complaint must fully set forth the circumstances giving rise to the alleged grievance and must be filed with the Superintendent's Office within five working days of disposition of Step 2. The Governing Board will consider the written complaint and respond at its next regularly scheduled meeting provided the written complaint is received in the Superintendent's Office at least one week prior to the next scheduled meeting of the Governing Board. Within 10 working days of the board meeting, the Governing Board through the Superintendent's Office will issue a written disposition of the complaint (Entire Packet to the Board).
4. If the complaint is not satisfactorily resolved following Step 3, further appeal may be made to the United States Office for Civil Rights, Department of Education, Washington, DC, 20201 or a court of competent jurisdiction.

5. The OUHSD takes all reports of bullying behavior seriously and responds to any allegations immediately. If you feel your child is being bullied because of their disabling condition, you can follow the Complaint Process (attached) for additional support to ensure that this behavior stops.

The Oroville Union High School District's designated Section 504 Coordinator is listed below and has been directed to assist the district in complying with the regulations implementing Title VI, Title IX, the ADA and Section 504.

Jennifer L Cox

Director of Education

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