

PAEA BUZZZ

APRIL 2008

THE NEWSLETTER OF THE PALO ALTO EDUCATOR'S ASSOCIATION

DID YOU KNOW...

Section 504 of the Vocational Rehabilitation Act

What are the classroom teacher's role and responsibilities?

Section 504 is a civil rights statute that was enacted to ensure non-discrimination and access. It typically provides accommodations and modifications to ensure that disabled students are not excluded from participation in any program or activity. A 504 stipulates exactly what accommodations or modifications will allow for that participation.

In order for someone to have a Section 504 plan, there must first be a determination that they have a disability that "substantially" limits learning. Unfortunately, the word substantially is not defined in the law, so it leaves interpretation of disability somewhat open. In fact, the process for determining a need for a 504 plan, closely mirrors the process for an IEP under Special Education. If the parent raises concern about a student's disability, a Student Study Team is convened to determine the possible presence of a disability and thus the need for assessment. If the need appears to be less severe and one that would not require Special Education, a 504 assessment process is conducted. This process may include formalized assessment, observation in the classroom, and review of work samples.

Conversations with classroom teachers are most important, to determine what learning is like for the student. The more specific the teacher can be about the student's learning, the better the decision of eligibility for a 504 plan and the more complete the plan.

In Palo Alto, a 504 plan has three sections. The first section identifies the disability, the middle section identifies the impact of that disability on learning and the third part identifies the resulting accommodations. There must be alignment between these three columns. A 504 plan is not a random menu of options, but a specific set of accommodations for a particular student.

For example:

Problems with attention	Does not hear instructions of the teacher	Teacher provides instructions in written form.
	Cannot sit for longer than 15 minutes while completing a task.	Assigned a set activity that can be done after 15 minutes of work e.g, sharpen pencil, move books, give out papers.

It is often difficult, particularly at the secondary level, for each teacher to give input to a 504 plan. The plans are updated annually and teachers can change more often than that. However, the 504 plan works better for both teachers and students if teachers have some opportunity to decide what will happen in their classroom. Once a 504 plan is written, it is a binding contract. Teachers must abide by the specific accommodations in the plan even if they did not sign it. If a teacher receives a 504 plan that they feel is not accurate, they must talk with the plan coordinator. The teacher may not arbitrarily decide not to do what is on the plan. -----By Carol Zepecki

I get many emails requesting clarification of language in the contract or just questions about our jobs. I intend to answer most questions in the BUZZZ on a monthly basis. Please continue to email questions to trionag@earthlink.net.

Apr. Rep Council Meeting will be held on Thursday 4/17, 4:00–6:00 PM at Duveneck School. Hosts Mangla Oza and Doug Burress

Education Budget: Below are the emails or websites for your legislative representatives. Let them know what you think. Most legislators have an email form on their website.

Senator Barbara Boxer www.boxer.senate.gov
 Senator Dianne Feinstein www.feinstein.senate.gov
 Representative Anna Eshoo www.eshoo.house.gov
 Senator Joe Simitian Senator.Simitian@senate.ca.gov
 Assemblyman Ira Ruskin www.democrats.assembly.ca.gov/members/a21/
 A useful site for finding lawmakers and contacting them is:
<http://capwiz.com/nea/ca/state/main/?state=CA>

Site Reps for 07-08

Addison- Joanne Geraghty	Barron Park Ashley Emling	Briones Mary Goodkind Joane Soraghan	Children's Hospital Cammy Sunde	Duveneck Mangla Oza Doug Burress	El Carmelo Annette Isaacson
Escondido Richard Garcia Amanda Dungan	Fairmeadow Valerie Sabbag	Greendell Marion Krause	Gunn G. Dominguez Yukie Hikida Judy Niizawa Sarah Stapp John Friedrich	Hays Chris Grierson	Hoover Lonnie Spencer
JLS Jay Brethauer Hayley Dupuy Bobbie Whiteman	Jordan Millie Balsam Mark Allendorf	Nixon Beryl Deremigio Janice Mulholland	Ohlone Cindy Halstead Frankie Murray	Palo Verde Pat Hanley Sheri Cundall	PALY Kay Gibson Eric Bloom Carla Guerard Emily Garrison
Terman Lynn Repetsky Mark Dungan Martin Vetter	Traveling /Music BJ Florsheim	Traveling/PE Karen Dolkas	25 Churchill Open		