



***Lucas R.* Counsel Comments to Proposed Information Collection Activity Individual 504 Service Plan**

May 23, 2025

Office of Refugee Resettlement Unaccompanied Children Bureau
Administration for Children and Families
U.S. Department of Health and Human Services

Submitted via Reginfo.gov

**Re: Comments on Submission for Office of Management and Budget Review;
Services for Unaccompanied Children With Disabilities (ICR Reference No. 202504-
0970-003).**

We write as class counsel on behalf of class members in *Lucas R. v. Becerra*, No. 18-CV-5741 (C.D. Cal.) to comment on the ORR UC Bureau's proposed Individualized Section 504 Service Plan (Form S-25).

We appreciate the significant improvements that ORR has made to this form since this Proposed Information Collection Activity was last posted in July 2024. We write to raise two remaining concerns that, if addressed, will improve the form's utility and ensure compliance with the *Lucas R.* Disability Settlement ("Disability Settlement"):

1. Program Type (p. 1)

The list of Program Types should include "Therapeutic Group Home" in addition to the program types currently listed on the proposed form. Many children with disabilities are placed by ORR in Therapeutic Group Homes and this should be captured by the form to ensure accurate record-keeping.

2. Discharge Planning (p. 2)

The Disability Settlement and federal regulations require ORR to provide affirmative support to sponsors of children with disabilities so sponsors may access and coordinate post-release services and supports, which in turn avoid unnecessary delays in release. See Settlement § V.B.1; 45 C.F.R. § 410.1311(e)(2). The child's Section 504 Service Plan must include a transition plan to enable safe release without unnecessary delay. See Settlement § II.B.7.

The proposed form includes columns for "Area of Need/Disability Trigger," "Service or Support," "Assistance Provided to Sponsor" and "Date Assistance Provided" under the heading of HOME STUDY UPDATES. We appreciate ORR's addition of these columns but we suggest ORR move these columns from the home study section to the section on POST-RELEASE SERVICES PLANNING UPDATES, as ORR's obligation to provide affirmative assistance to sponsors is not necessarily tied to the home study. We are concerned that affirmative support may not be provided at the post-release services planning phase of the release process if there are no prompts to consider what has been done to offer affirmative support.

Thank you for your consideration of these comments. Please contact us if you would like any additional information.

Best regards,

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