

**NOTICE OF PROCEDURAL RIGHTS UNDER SECTION 504
OF THE REHABILITATION ACT OF 1973**

The purpose of this notice is to describe the procedural safeguards provided to the parents/guardians of students with disabilities under Section 504 of the Rehabilitation Act of 1973. The intent of the law is to keep parents fully informed concerning the District's decisions to identify, evaluate, and/or make accommodations for their children. The following is a description of some of the rights granted by this federal law pertaining to students with disabilities who are subject to identification, evaluation or placement under Section 504.

- A. Your child is entitled to take part in and receive benefits from public education programs or activities without discrimination because of his or her disability. 34 *C.F.R.* §104.21;
- B. Your child is entitled to receive a free appropriate public education regardless of the nature or severity of his or her disability. 34 *C.F.R.* §104.33(a);
- C. Your child is entitled to receive regular or special education and related aids and services that are designed to meet his or her individual educational needs as adequately as the needs of students without disabilities. 34 *C.F.R.* §104.33(b);
- D. Your child is entitled to receive free educational services except for those fees that are imposed on students without disabilities or their parents. 34 *C.F.R.* §104.33(c);
- E. Your child is entitled to be educated with students without disabilities to the maximum extent appropriate to the needs of your child. 34 *C.F.R.* §104.34(a);
- F. Your child is entitled to be educated in facilities and receive services and activities comparable to those provided to students without disabilities. 34 *C.F.R.* §104.34(b) and (c);
- G. Your child is entitled to an evaluation prior to an initial placement and any subsequent significant change in placement. 34 *C.F.R.* §104.35(a);
- H. Your child is entitled to be evaluated and tested with procedures in accordance with regulations pertaining to evaluation procedures. 34 *C.F.R.* §104.34(b);
- I. Your child is entitled to have evaluation data and placement decisions based upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. 34 *C.F.R.* §104.35(c)(1);

- J. Your child is entitled to have interpretation of data and placement decisions based on evaluation procedures that ensure information is obtained from a variety of documented and carefully considered sources. 34 *C.F.R.* §104.35(b)(c)(2);
- K. Your child is entitled to have placement decisions made by persons knowledgeable about your child, the meaning of evaluation data, and placement options. 34 *C.F.R.* §104.35 (c)(3);
- L. Your child is entitled to periodic evaluations. 34 *C.F.R.* §104.35(d);
- M. Your child is entitled to an equal opportunity to participate in nonacademic and extracurricular activities offered by the school district. 34 *C.F.R.* §104.37;
- N. You are entitled to notice prior to any action by the district pertaining to the identification, evaluation, or placement of your child. 34 *C.F.R.* §104.36;
- O. You are entitled to examine relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement. 34 *C.F.R.* §104.36;
- P. You are entitled to appeal/disagree with the District's decision(s) with regard to the identification, evaluation, educational program, and placement by filing a grievance pursuant to Board Policy 1510. 34 *C.F.R.* §104.7(b);
- Q. You are entitled to request an impartial hearing at the New Jersey Office of Administrative Law if you disagree with your child's identification, evaluation, educational program, and placement, with opportunity for participation in the hearing and representation by an attorney;
- R. You are entitled to file a formal complaint with the regional Office for Civil Rights. The office is part of the U.S. Department of Education The regional office is located at 32 Old Slip, 26th Floor, New York, NY 10005-2500; and
- S. You are entitled to review the decision of the impartial hearing officer.

The person in this school district who is responsible for assuring that the school district is in compliance with Section 504 is the Section 504 Coordinator, whose contact information is listed below.

If you have any questions concerning Section 504, need assistance in filing an appeal of the District's decision(s) or in filing a complaint regarding your child, or to request an impartial hearing, please contact:

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Section 504 Coordinator
Tenafly School District
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Tenafly NJ 07670
201-816-6639