

**Regulation**

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ANTI-DISCRIMINATION/EQUAL EDUCATIONAL OPPORTUNITY  
SECTION 504 OF THE REHABILITATION ACT OF 1973 PROCEDURE

A. Parental Notification and Involvement

A student's parents/guardians shall be notified before the Section 504/ADA Committee evaluates a student who has been referred for a suspected disability pursuant to Section 504/ADA. The Section 504/ADA Committee shall involve parents/guardians in all identification, evaluation and educational placement decisions. Parents/guardians shall have an opportunity to examine all relevant records. A Section 504/ADA evaluation meeting can be held which shall provide an opportunity for participation by each student's parents/guardians as well as representation by counsel. The student's parent/guardian shall be notified in writing of the Section 504/ADA Committee meeting. The Section 504/ADA Committee shall consider all relevant information concerning the student to determine whether he/she is disabled under Section 504/ADA.

B. Information Sources and Education Plan

Information may include reports from physicians, observation from parents, teachers, school personnel, results of standardized tests, etc. The Section 504/ADA Committee shall determine whether the student is disabled under Section 504/ADA, and, if so, develop a written educational plan describing what accommodations, modifications, services, or programs will be provided to meet the student's needs. The determination and, if applicable, education plan of the Section 504/ADA Committee shall be submitted to the parent/guardian in writing.

C. Annual Review

The Section 504/ADA Committee shall meet periodically to review the student's educational plan. In addition, prior to any significant changes in placement, a reassessment of the student's needs shall be conducted. Parents or guardians who disagree with the identification, evaluation, or placement of a student with disabilities shall have the right to an appeal following section 504/ADA Grievance Procedures and ultimately to request a due process hearing pursuant to the procedures set forth herein.

D. Grievance Procedures

The Riverton School District does not discriminate on the basis of disability with regard to admission, access to services, treatment or employment in its programs or activities. A complaint shall be filed with the Section 504/ADA Officer without reprisal by the board of education or any of its employees or agents. It is the intent of the District that all complaints be resolved in a prompt and equitable manner. Any alleged complaint within the scope of Section 504/ADA - Rehabilitation Act of 1973 should be addressed through the district grievance procedure for students as detailed below and at file code 5145.6 or the district grievance procedure for staff (file code 4118.3/4218.3 and/or procedures set forth in the negotiated agreement).

Anti-Discrimination/Equal Educational Opportunity Grievance Procedure

In keeping with Federal/State anti-discrimination legislation, the following grievance procedure shall be implemented for the resolution of student, employee, and parent/guardian complaints.

504/ADA (regulation continued)

Purpose

To provide students, employees and parents/guardians a procedure by which they can seek a remedy for alleged violations related to discrimination on the basis of race, color, creed, religion, sex, ancestry, national origin, or social or economic status.

Definition:

**Grievance:** A formal written complaint

**Grievant:** Any student, employee or parent/guardian aggrieved by a decision or condition falling under the guidelines of Federal and/or State anti-discrimination laws  
**Affirmative Action Officer:** The district employee designated to coordinate efforts to comply with anti-discrimination legislation and charged with the responsibility of investigating complaints

Procedure:

**Step 1:** The grievant must present the complaint in written form to the responsible person designated as the Affirmative Action Officer.

**Step 2:** The Affirmative Action Officer has five working days in which to investigate and respond to the grievant.

**Step 3:** If not satisfied, the grievant may appeal within ten working days to the chief school administrator.

**Step 4:** Response by the chief school administrator or his/her deputy must be given within ten working days.

**Step 5:** If the grievant is not satisfied at this level, an appeal may be made within ten working days to the board of education which will hear the complaint at the next regular meeting or within 30 calendar days. Board hearing shall be conducted so as to accord due process to all parties involved in the complaint. The decision of the board shall be by a majority of the members at a meeting which shall be public.

**Step 6:** The board of education shall respond to the grievant within 30 calendar days.

**Step 7:** If the grievant is not satisfied with the board's decision, the grievant may file the complaint with the Office of Equal Educational Opportunity, New Jersey State Department of Education. The grievant maintains the right to by-pass the grievance procedure and submit the complaint directly to the Office for Civil Rights, Washington, D.C. Grievance

This procedure and the district grievance forms are available upon request at the administrative offices in the district.

NJSBA Review/Update:  
Adopted:

FIRST READING: Board of Education Meeting: 10/27/09

SECOND READING & ADOPTION: Board of Education Meeting: 11/24/09