

**Vallivue School District No. 139  
Section 504 of the Rehabilitation Act of 1973  
Notice of Rights to Identification, Evaluation, and Placement**

The following is a description of the rights granted by federal law to students with disabilities. 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:

1. Have your child take part in, and receive benefits from, public education programs without discrimination because of his or her disability.
2. Have the school district advise you of your rights under federal law. The purpose of this Notice is to advise you of those rights.
3. Receive notice with respect to identification, evaluation, or placement of your child.
4. Have your child receive a free appropriate public education (FAPE). This includes the right to be educated with nondisabled students to the maximum extent appropriate.
5. Have your child educated in facilities and receive services comparable to those provided to students without disabilities.
6. Have your child receive regular or special education and related aids and services if he or she needs such services.
7. Have identification, evaluation, and placement decisions made based upon a variety of information sources and by persons who know your child, the evaluation data, and the service options.
8. Have educational and related aids and services provided to your child without cost except for those fees imposed on the parents/guardians of non-disabled students.
9. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the school district.
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.
11. Receive a response from the school district to reasonable requests for explanations and interpretations of your child's records.

12. Request amendments of your child’s educational records if there is reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment, it will notify you within a reasonable amount of time and advise you of the right to a hearing.
13. Request an impartial due process hearing related to decisions or actions regarding your child’s identification, evaluation, educational program, or placement. You and your child may take part in the hearing and have an attorney represent you. Hearing requests must be made to the individual identified below. If you disagree with the decision, you have a right to a review.
14. File a grievance following the school district grievance procedure on matters other than your child’s identification, evaluation, and placement.
15. File a complaint with the Office for Civil Rights, 915 2<sup>nd</sup> Avenue, Room 3310, Seattle, WA 98174-1099.

The person in this district who is responsible for assuring that the district complies with Section 504 is:

Section 504 Compliance Officer  
Vallivue School District No. 139  
5207 S. Montana Ave.  
Caldwell, ID 83607  
Phone: (208) 454-0445  
Fax: (208) 454-0293



**LEGAL REFERENCE:**

Section 504 of the Rehabilitation Act of 1973  
29 USC 794  
34 CFR Part 104  
Family Educational Rights and Privacy Act (FERPA)  
20 USC 1232g  
34 CFR Part 99

*NOTE: Section 504 requires a system of procedural safeguards that includes notice to the parents; however, no timelines are set forth. By following the annual notification requirements set forth under the IDEA, the district fulfills its notice obligations under Section 504 as well. (The district must provide a Section 504 specific statement.) In addition, parents/guardians must be provided written notice any time the district proposes or refuses to initiate or change the identification, evaluation, or educational placement of the student.]*

**Last updated: 02/14/17**