

## RESOLUTION AGREEMENT

### Paradise Valley Unified School District Case Number 08-15-1090

The U.S. Department of Education, Office for Civil Rights (OCR), initiated an investigation into allegations that the Paradise Valley Unified School District ("District") violated Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 and its implementing regulation at 28 C.F.R. Part 35. Specifically, the complainant alleged, in relevant part, that the contents of her son's IEP (individualized educational program) were not communicated adequately and timely to some of his teachers, who were charged with implementing some of the IEP provisions.

Prior to the completion of OCR's investigation, the District voluntarily agreed to resolve the investigation of the complaint allegation pursuant to Section 302 of OCR's Case Processing Manual (CPM). This resolution has been entered into voluntarily and does not constitute a finding or admission that the District violated Section 504 or Title II and their implementing regulations.

#### Remedies and Reporting

- A. Policies and Procedures. By July 30, 2015, the District will submit for OCR's review and approval policies and procedures developed for Desert Springs Elementary School to ensure the contents of students' IEPs are adequately and timely communicated to those who are charged with implementing IEP provisions. The District will meaningfully incorporate OCR's comments and will adopt such policies and procedures within 10 days of OCR's approval.

Reporting: Upon adoption of the new policies and procedures, the District will notify OCR.

- B. Staff Training. Before the beginning of SY2015-16 and SY2016-17, the District will provide training to the Desert Springs Principal, School Psychologist, and all instructional staff regarding the new policies and procedures developed through Paragraph A.

Reporting: Within 10 days after the training, the District will submit to OCR proof that the training was provided. Such documentation will include:

1. The agenda and handouts for the training;
2. The date and time the training was held; and
3. A written assurance from the District that all required attendees were present during the training.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.33, which was at issue in this case.

The District also understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may

visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.33, which was at issue in this case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

\_\_\_\_\_/s/\_\_\_\_\_  
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Signature

June 29, 2015

Date