

**RESOLUTION AGREEMENT
Tucson Unified School District
OCR Case Number 08-16-1010**

In order to resolve OCR case number 08-16-1010, filed against the Tucson Unified School District (District) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR), the District agrees to implement this Resolution Agreement. This case was initiated pursuant to Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 Code of Federal Regulations Part 104, and Title II of the Americans with Disabilities Act of 1990 and its implementing regulation at 28 Code of Federal Regulations Part 35.

The District's decision to enter into this Agreement is not an admission of liability or wrongdoing, nor shall it be construed as such.

1. The District will draft a letter to the complainant stating that the Student is not banned from the Tucson High School campus or banned from sitting in the student section at the District's athletic activities.

REPORTING REQUIREMENT: Within 15 days after this Agreement is signed, the District will provide OCR a draft letter notifying the complainant of the Agreement, and indicating the Student was not banned from the campus or District athletic events.

2. The District will consider and respond to any feedback from OCR with respect to the draft letter to the complainant. After obtaining OCR's approval, the District will mail the letter to the complainant.

REPORTING REQUIREMENT: Within 15 days of obtaining OCR's approval of the letter, the District will provide OCR documentation that the letter was mailed to the complainant.

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 Title II and Section 504, which were 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 sixty (60) calendar days to cure the alleged breach.

The District 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 the Agreement, if necessary, OCR may visit the District, interview District employees 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 Title II and Section 504, which were at issue in this case.

For Tucson Unified School District:

Date