

**RESOLUTION AGREEMENT**  
**Coolidge Unified School District**  
**Case Number 08-16-1041**

In order to resolve compliance concerns found in Case Number 08-16-1041, filed against the Coolidge 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 the following Resolution Agreement. This Agreement is pursuant to OCR's enforcement authority of Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 United States Code (U.S.C. ) § 794 and its implementing regulation at 34 Code of Federal Regulations (C.F.R.) part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131– 65, and its implementing regulation at 28 C.F.R. part 35.

**1. Compensatory Services**

The District shall convene a team of persons knowledgeable about the Student, the Student's evaluation data, and the placement options (herein "Team") to determine if the Student's October 19, 2015 change in placement to a more restrictive environment without an IEP meeting resulted in academic or nonacademic harm to the Student.

If the Team determines that the Student's change in placement resulted in harm to the Student, the Team will consider whether compensatory or other remedial services should be provided to the Student to compensate for the harm. The District will provide the Student's parent(s) with prior written notice, a meaningful opportunity to provide input into the determination, notice of the determination made, and notice of the procedural safeguards available to them under 34 C.F.R. § 104.36, including their right to challenge such determinations through an impartial due process hearing should they disagree. If the Team determines the Student is entitled to compensatory education or services, the Team will develop a plan for providing the required education or services, and the District will provide such education or services in addition to any other service to which the Student is entitled.

**REPORTING REQUIREMENTS:**

- a. By March 30, 2017, the District will provide OCR with evidence that a Team meeting was convened for the purpose of complying with Term 1. The District will further provide documentation showing that it provided prior written notice of the meeting.
- b. If the Team determines that no compensatory education or other remedial services were necessary, the District will provide a written explanation of the reasons for that determination, along with any supporting documentation. OCR will review the documentation submitted to ensure that the District met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, in making these determinations. OCR will notify the District of any concerns discovered in this review.
- c. If compensatory or other remedial services are determined to be necessary the District

will provide OCR with a schedule for providing these services for the Student and documentation demonstrating the complete provision of services for the Student.

## **2. Training**

The District shall provide training to the West Elementary special education staff and School administration on Section 504 and Title II. The training will include, at a minimum, the District's responsibilities under the following:

- a. 34 CFR §104.34 Education Setting;
- b. 34 CFR §104.35 Evaluation and Placement; and
- c. 34 CFR §104.36 Procedural Safeguards.

Prior to conducting the training, the District will provide to OCR for review and approval the training materials and qualifications of the trainer. Within 60 days of receiving OCR's approval of the training materials and qualifications of the trainer the District will conduct the training.

**REPORTING REQUIREMENT:** Within 30 days of the completion of the training, the District will provide OCR a copy of materials distributed at the training and a sign in list (by name and position) of all who completed the training.

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 and Title II which were at issue in this case.

The District 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 and Title II 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.

This Agreement will remain in effect until OCR determines that the District has fully complied with all of its provisions. Upon determining that the District has achieved full compliance with the terms of this Agreement, OCR will conclude its monitoring and will notify the District that it is closing this case and terminating this Agreement.

The person signing for the District represents that he or she is authorized to bind the District to this Agreement. This Agreement becomes effective the date of the final signature below.

For Coolidge Unified School District:

_____	/S/	3/8/17
Name:		Date
Title:		