

## **RESOLUTION AGREEMENT**

### **Paradise Valley Unified School District OCR Case Number 08-17-1031**

In order to resolve allegations in OCR case number 08-17-1031, filed against the Paradise Valley Unified School 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 to fully resolve this disputed case without admitting liability, fault, or wrongdoing. This case investigation was initiated pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), and its implementing regulation at 34 C.F.R. §§ 104.33-104.36, and Title II of the Americans with Disabilities Act of 1990 at 28 C.F.R. § 35.130.

1. The District will reimburse the Complainant in the amount of three hundred dollars (\$300.00) for the services of an advocate who assisted with ensuring the Student's educational services stemming from the instances of seclusion at Eagle Ridge Elementary School from August 2016 through November 2016.

#### **REPORTING REQUIREMENTS:**

- By May 30, 2017, the District will provide OCR with a copy of the documentation that the District provided the Complainant the reimbursement.
2. The District will provide additional training to relevant staff members at Eagle Ridge Elementary School regarding Section 504 and Title II of the ADA specifically covering the prohibition of retaliation, and not legal responsibilities towards parents who advocate for their students' services.

#### **REPORTING REQUIREMENTS:**

- By May 30, 2017, the District will provide OCR with a copy of the training agenda, training materials, list of staff with names and titles that will be required to attend the training, and identify the trainer and her/his qualifications for providing the training, for OCR's review and approval.
- Within 60 days of OCR's approval of the trainer and training materials, the District will provide OCR with a copy of all handouts provided during or before the training, a list of all staff identified to receive the training, and a sign-in sheet for those attending 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 of the Rehabilitation Act of 1973 at 34 C.F.R. §§ 104.33-104.36 and Title II of the Americans with Disabilities Act of 1990 at 28 C.F.R. § 35.130, 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 regulation implementing Section 504 of the Rehabilitation Act of 1973 at 34 C.F.R. §§ 104.33-104.36 and Title II of the Americans with Disabilities Act of 1990 at 28 C.F.R. § 35.130, which were at issue in this case.

For Paradise Valley Unified School District:

/s/  
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D, Kim Guerin  
Assitant Superintendent

3/29/2017  
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Date