

Resolution Agreement
Wallace Stegner Charter School
OCR case number 08-17-1147

In order to resolve the open allegations in Case Number 08-17-1147, filed against Wallace Stegner Charter School (“School”) with the Office for Civil Rights (OCR) of the U.S. Department of Education, pursuant to Title VI of the Civil Rights Act of 1964 (“Title VI”), 42 U.S.C. § 2000d et. seq., and its implementing regulation at 34 Code of Federal Regulations part 100, Section 504 of the Rehabilitation Act of 1973 (“Section 504”), 29 U.S.C. § 794, and its implementing regulation at 34 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, the School agrees to implement the following Resolution Agreement.

Term I: Identification of Students with Disabilities

- A. Within sixty (60) calendar days of this Agreement being signed, the School will submit to OCR for review and approval:
 - i. A plan for how the School intends to conduct evaluations of students who have or are suspected of having a disability and may need physical therapy, social work services, or nursing services.
- B. Within thirty (30) calendar days of OCR’s approval of the above plan, the School will submit to OCR for review and approval:
 - i. Draft materials to train all School staff (including administrative staff) on the following:
 - a. The School’s “child find” obligations;
 - b. Evaluations procedures used for the evaluation and placement of students with disabilities who need or are believed to need special education or related services; and,
 - c. The obligation when determining eligibility for special education or related services to assess students in all areas of suspected disability, including but not limited to physical therapy, social/emotional, and nursing needs.
 - ii. The name(s), title(s) or position(s), and qualifications of one or more proposed individuals to provide training to the staff.
- C. Within sixty (60) calendar days of receiving OCR’s final approval of the materials and trainer(s), the School will provide the training to all staff at the School.
- D. Within thirty (30) calendar days the training being provided to staff at the School, the School will provide to OCR:
 - i. the date, time, and location of the training;

- ii. confirmation that the approved trainer(s) provided the training;
- iii. a copy of the agenda and any materials provided at the training;
- iv. sign-in sheets with the names and titles of all staff who attended the training, along with a master staff roster with which to cross-reference the sign-in sheets;
- v. the names and titles of any staff who did not attend the training, along with a reason for their absence; and
- vi. the date, time, and location of any make-up training dates for those staff that did not attend the original training.

Term II: Implementation of Individualized Plans for Students with Disabilities, such as 504 plans and IEPs

- A. Within sixty (60) calendar days of this Agreement being signed, the School will submit to OCR for review and approval:
 - i. A plan for how the School intends to provide special education services to students that need services in an academic setting other than the two settings (push-in and small group) currently provided by the single special education teacher.
- B. Within thirty (30) calendar days of OCR's approval of the above plan, the School will submit to OCR for review and approval:
 - i. Draft materials to train all School staff (including administrative staff) on:
 - a. The placement procedures for qualified students with disabilities; and
 - b. The implementation of Section 504 Plans and Individualized Education Programs (IEPs)
 - ii. The name(s), title(s) or position(s), and qualifications of one or more proposed individuals to provide training to the staff.
- C. Within sixty (60) calendar days of receiving OCR's final approval of the materials and trainer(s), the School will provide the training to all staff at the School.
- D. Within thirty (30) calendar days of the training being provided to staff at the School, the School will provide to OCR:
 - i. The date, time, and location of the training;
 - ii. Confirmation that the approved trainer(s) provided the training;
 - iii. A copy of the agenda and any materials provided at the training;
 - iv. Sign-in sheets with the names and titles of all staff who attended the training, along with a master staff roster with which to cross-reference the sign-in sheets;
 - v. The names and titles of any staff who did not attend the training, along with a reason for their absence; and

- vi. The date, time, and location of any make-up training dates for those staff that did not attend the original training.

Term III: Language Based Supports

- A. Within sixty (60) calendar days of this Agreement being signed, the School will submit to OCR for review and approval revised School policies and regulations regarding language based supports for English language learners (EL) students. All policies related to EL students will be revised, as appropriate. The revised policies will include the following:
 - i. How the School identifies potential EL students;
 - ii. How the School assesses students' needs for EL services;
 - iii. The identification of a reasonable EL program;
 - iv. How the School will ensure that EL students receive appropriate instructional services from the EL program;
 - v. How the School will ensure that the program has appropriate staffing and materials;
 - vi. How the School will measure student progress while in the program and after exiting; and
 - vii. How the School will assess the overall success of the EL program.
- B. Within thirty (30) calendar days of receiving OCR's final approval of the revised policies and regulations, the School will provide to OCR:
 - i. A copy of the final, approved EL program policies and regulations;
 - ii. Records showing that the approved EL program policies and regulations were adopted by the School;
 - ii. Records showing that the approved policies and regulations have been disseminated to all School staff;
 - iii. A list of the School's EL teachers (by name and title), along with a description of their qualification for being an EL teacher;
 - iv. A list of the School's EL students and a description of the EL program services provided to them.
- C. Implementation of the EL Plan:
 - i. By January 5, 2018, the District will provide to OCR the program evaluation required by Agreement term 3(A)(vii).
 - ii. By January 5, 2018, the District will provide supporting documentation to OCR that all EL students at the School are receiving EL services from qualified teachers.

The School understands that OCR will not close the monitoring of this Agreement until OCR determines that the School has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title VI, Section 504 and Title II, which were at issue in this case.

The School 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 School understands that during the monitoring of the Agreement, if necessary, OCR may visit the School, interview employees and students of the School, and request such additional reports or data as are necessary for OCR to determine whether the School has fulfilled the terms of this Agreement and is in compliance with Title VI, Section 504 and Title II, and their implementing regulations, which were at issue in this case.

The School 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 School written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

For Wallace Stegner Charter School

/s/

6/22/2017

Anthony Sudweeks, Co-Director

Date