

**Resolution Agreement
Tucson Unified School District
OCR Case Number 08-17-1180**

The U. S. Department of Education, Office for Civil Rights (OCR) and Tucson Unified School (District) enter into this agreement to resolve the allegation in the above-referenced complaint. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District assures OCR that it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. Section 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. Sections 12131 *et seq.*, and its implementing regulation at 34 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

Prior to the completion of OCR’s investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR’s Case Processing Manual. Accordingly, to resolve the issues of this investigation, the District agrees to take the following actions.

Staff Training

- I. Within ninety (90) calendar days of signing the Agreement the District will submit to OCR for review and approval:
 - a. Draft materials to train XX (School) staff and administrators on:
 - i. Ensuring the prompt and equitable response to complaints of disability harassment, and
 - ii. Providing complainants with notice of the findings of any investigation into complaints of disability harassment.
 - b. The name(s), title(s) or position(s), and qualifications of one or more proposed individuals to provide the training to the School’s staff and administrators.
- II. Within thirty (30) calendar days of receiving OCR’s final approval of the materials and trainer(s), the District will provide the training to all School staff and administrators.
- III. Within thirty (30) calendar days of the training being provided, the District will provide to OCR:
 - a. The date, time, and location of the training;
 - b. Confirmation that the approved trainer(s) delivered the training;
 - c. The agenda and materials from the training;
 - d. The names and titles of all staff who attended the training; and
 - e. The name(s) and title(s) of all staff who were required to attend the training pursuant to Term II, but who did not attend the training, an explanation for each person’s absence, and any make-up dates for the training.

Notice of Findings

- I. Within thirty (30) calendar days of signing the Agreement the District will provide OCR with documentation that it provided the Complainant with written investigation

findings regarding the alleged disability harassment incident that occurred on January 20, 2017 at the School and any other disability harassment incidents found as a result of that investigation involving the School aide and the Student.

The District understands that by signing this Agreement, it agrees to provide the foregoing 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 Section 504 and its implementing regulation at 34 C.F.R. §104.7(b). Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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 become effective immediately upon the signature of the District's representative below.

For the District:

/s/

8/3/2017

Maura Clark-Ingle, Director, Exceptional Education

Date