

**Resolution Agreement**  
St. Vrain Valley School District  
Office for Civil Rights Case Number 08-18-1017

The U.S. Department of Education, Office for Civil Rights (OCR) and the St. Vrain Valley School District (District) enter into this agreement to resolve the allegations 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), as amended, 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 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively. Accordingly, to resolve the issues of this investigation, the District agrees to take the following actions.

**Agreement Terms**

**Agreement Item 1**

By **May 15, 2018**, pursuant to Board of Education policies AC, and AC-R, the District will conduct a prompt and equitable investigation of the disability harassment (bullying) and retaliation allegations toward the Student that the Complainant brought to the attention of the principal, assistant principal, the school counselor and the area superintendent concerning students and staff.

**Reporting Requirement 1**

By **May 20, 2018**, the District will provide OCR with a copy of its investigative report including a summary of all individuals interviewed and evidence reviewed by the District; the District's findings involving an appropriate legal standard for disability harassment and retaliation, the District's determination and appropriate corrective action taken as needed.

**Agreement Item 2**

By **April 23, 2018**, the District will develop for OCR's approval, training for Section 504 staff and its interdisciplinary teams at xxxxx School and xxxxx School on the evaluation process for students under Section 504 and the ADA. The training will include a discussion of when the District must conduct an evaluation and the role of response to intervention (RTI) in the evaluation of students who do not have specific learning disabilities such as mental health disabilities such as ADD and ADHD.

**Reporting Requirement 2**

By **April 27, 2018**, the District will provide for OCR's approval its draft training for the evaluation process for Students under Section 504 including a discussion of RTI and students with mental health disabilities. The District will include the name, title and credentials of the proposed trainer for OCR's approval.

By **September 1, 2018**, the District will provide the training for Section 504 staff and its interdisciplinary teams at xxxxx School and xxxxx School.

Within **5 days** of the training, the District will provide written assurances that all required individuals have been provided the required training, to include a copy of the District's sign in sheets with individuals identifying themselves by name, title, and school.

x - [Agreement Item 3 and Reporting Requirement 3] redacted - x

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 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, at 34 C.F.R. §§ 104.61, which incorporates the Title VI regulation at 34 C.F.R. § 100.7(e), and the Title II regulation at 28 C.F.R. § 35.134, which were at issue in these cases.

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 and Title II, at 34 C.F.R. §§ 104.61, which incorporates the Title VI regulation at 34 C.F.R. § 100.7(e), and the Title II regulation at 28 C.F.R. § 35.134.

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.

/s/

---

For St. Vrain Valley School District

---

Date