

**Resolution Agreement
Dysart Unified School District
Complaint Number 08-18-1506**

In order to resolve the allegations in Case Number 08-18-1506 filed against Dysart Unified School District (District), the District agrees to implement the following Resolution Agreement. These complaint allegations were opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR) pursuant to Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 (Section 504) 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, which prohibit discrimination on the basis of disability in public education programs that receive Federal financial assistance from the Department.

During the course of OCR's investigation, before OCR had made any findings, the District indicated its willingness to take steps necessary to ensure compliance with Section 504 and Title II. Pursuant to Section 302 of OCR's *Case Processing Manual*, a complaint may be resolved when, before the conclusion of an investigation, a recipient expresses an interest in resolving the complaint, OCR believes that doing so is appropriate, and the remedies align with the allegations. The District's decision to enter into this Agreement is not an admission of liability or wrong-doing, nor shall it be construed as such.

Yearbook

1. The District will develop policies and procedures, for OCR approval, to ensure that it publishes school pictures for all students in the self-contained classrooms at Marley Park Elementary (School) on the same page(s) of the yearbook with their respective grades. The policies and procedures will also ensure that students in the self-contained classrooms are depicted in other sections of the yearbook to the same extent that nondisabled students are pictured (for example, school assemblies, field days or other school-sponsored activities and any other group photographs).

REPORTING REQUIREMENT: By **November 30, 2018**, the District will provide OCR, for OCR's review, approval and feedback, its draft yearbook policies and procedures.

2. If necessary, the District will take action to address any feedback provided by OCR with respect to the draft yearbook policies and procedures.

REPORTING REQUIREMENT: Within 30 calendar days of the date OCR provides feedback regarding the District's draft yearbook policies and procedures, the District will provide a description of the corrective action taken in response to OCR's feedback.

3. Within 30 calendar days of OCR's approval of the draft yearbook policies and procedures, the District will adopt and implement the policies and procedures at the School.

REPORTING REQUIREMENT: Within 30 calendar days of its final adoption of the yearbook procedure, the District will provide documentation to OCR establishing that it has adopted and implemented the new policies and procedures at the School.

Field Trips

4. The District will develop policies and procedures, for OCR approval, to ensure that all students in the self-contained classrooms at the School have an opportunity to participate in field trips to the same extent as their nondisabled peers. The policies and procedures will include consultation with the disabled student's parents if there is any concern on the part of School staff or a student's parents whether a particular field trip would be appropriate for the student and, if not, to identify another more appropriate field trip. The policies and procedures will also make clear that the District will provide the support of instructional aides as needed for self-contained classroom students on field trips and will not rely on parents to provide that support.

REPORTING REQUIREMENT: By **November 30, 2018**, the District will provide OCR, for OCR's review, approval and feedback, its revised draft field trip policies and procedures.

5. If necessary, the District will take action to address any feedback provided by OCR with respect to the draft field trip policies and procedures.

REPORTING REQUIREMENT: Within 30 calendar days of the date OCR provides feedback regarding the District's draft field trip policies and procedures, the District will provide a description of the corrective action taken in response to OCR's feedback.

6. Within 30 calendar days of OCR's approval of the draft field trip policies and procedures, the District will adopt and implement the policies and procedures at the School.

REPORTING REQUIREMENT: Within 30 calendar days of its final adoption of the field trip policies and procedures, the District will provide documentation to OCR establishing that it has adopted and implemented the new policies and procedures at the School.

7. Within 10 calendar days after adopting and implementing the new field trip and yearbook policies and procedures, the District will notify all School staff of the new yearbook and field trip policies and procedures and will attach a copy of the new policies and procedures with the notification. The notification will also include contact information for the Principal and/or other appropriate School or District administrator to respond to any questions about the new policies and procedures.

REPORTING REQUIREMENT: Within 20 calendar days of notifying School staff about the new policies and procedures, the District will provide OCR with a copy of the notification sent to all School staff including a distribution list.

- 8. The District will provide OCR with a copy of the School’s yearbook for the 2018-19 school year and documentation demonstrating that all students in the self-contained classrooms had an equal opportunity to participate in field trips and that the District provided the support of educational aides where necessary.

REPORTING REQUIREMENT: By **May 30, 2019**, or earlier if available, the District will provide OCR with the documentation demonstrating compliance with term 8.

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 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 a minimum of sixty (60) calendar days to cure the alleged breach.

For Dysart Unified School District:

/S/	9/18/18
Name	Date
Title	