

RESOLUTION AGREEMENT

Peoria Unified School District OCR Case Number 08-18-1581

In order to resolve the allegations in OCR case number 08-18-1581, filed against the Peoria Unified School District (District) involving Alta Loma Elementary School (School) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR), the District agrees to implement this Resolution Agreement. This case investigation was initiated pursuant to Title VI of the Civil Rights Act of 1964 (Title VI) at 34 C.F.R. § 100.3; Section 504 of the Rehabilitation Act of 1973 (Section 504), and its implementing regulation at 34 C.F.R. §§ 104.7 & 104.8; and Title II of the Americans with Disabilities Act of 1990 at 28 C.F.R. §§ 35.106 & 35.107.

1. The District will review and revise its Section 504/Title II complaint procedures so that the policies and procedures are compliant with Section 504 and Title II of the ADA. See 34 C.F.R. § 104.7 and 28 C.F.R. § 35.107.

REPORTING REQUIREMENTS:

- By April 15, 2019, the District will submit to OCR for review and approval the District's draft complaint procedures (policies and/or regulations and procedures).
 - Within 60 days of OCR's approval of the policies and/or regulations and procedures, the District will adopt and publish the approved policies and/or regulations and procedures. Supporting documentation should include 1) weblinks to each place where the policies and/or regulations and procedures are posted on the District's website and School's webpage, 2) parent/student handbooks, and 3) other similar documents.
2. The District will review and revise the notice of non-discrimination/notice of compliance officer to include complete contact information for the District's Section 504 Coordinator. See 34 C.F.R. § 104.8 and 28 C.F.R. § 35.106

REPORTING REQUIREMENT:

- By April 15, 2019, the District will submit to OCR for review and approval the District's draft notice of non-discrimination/notice of compliance officer.
 - Within 60 days of OCR's approval of the notices, the District will adopt and publish the approved notices. Supporting documentation should include 1) weblinks to each place where the notices are posted on the District's website and School's webpage, 2) student/parent handbooks, and 3) other similar documents.
3. The District will identify and train all School administrators responsible for implementing the District's complaint procedure. The training will include the OCR approved policies and procedures, how to investigate discrimination and harassment complaints, identifying protected basis (i.e. disability-related or race-related harassment) in complaints, writing investigation findings, taking steps to prevent re-occurrence of harassment, and providing written findings to the relevant parties.

REPORTING REQUIREMENTS:

- By April 15, 2019, the District will provide OCR with a copy of the training agenda, training materials, list of identified employees, and identify the trainer and her/his qualifications to provide the training, for OCR's review and approval.
 - Within 60 days of OCR's approval, the District will provide OCR with a copy of all handouts provided during or before the training, a list of all School staff identified to receive the training, and a sign-in sheet for those attending the training.
4. The District will train all students that were in 6th grade at the School during the 2018-19 school year. The training will include age appropriate information on the prohibition of harassment, including name-calling; and what students should do if they feel harassed or see another student being harassed.

REPORTING REQUIREMENTS:

- By April 1, 2019, the District will provide OCR with a copy of the training agenda, training materials, list of identified students, and identify the trainer and her/his qualifications to provide the training, for OCR's review and approval.
 - Within 60 days of OCR's approval, 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.
5. The District will prepare written findings of its investigation into the alleged harassment raised in this complaint and determine whether the Student's education was affected by the alleged harassment.

REPORTING REQUIREMENT:

- By April 15, 2019, the District will provide a copy of the investigation findings for OCR's review and approval. The findings should include the allegations of racial and disability harassment, what was done to investigate, and whether the District found the Student had been subjected to harassment. If harassment is found, then proposed remedies to redress the harassment and prevent its recurrence should be included in the findings.
- Within 30 days of OCR approving the written findings, the District will notify the Complainant of its findings and any remedial actions. Within 15 days after the meeting, the District will report to OCR documentation supporting that notice to the Complainant was provided.
- By October 30, 2019, the District will provide documentation supporting that the remedies to redress the harassment and prevent its occurrence, if any were needed, were provided.

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.

OCR will close the case monitoring when it has determined that the District has met the terms of the Agreement. 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 Title VI of the Civil Rights Act of 1964 (Title VI) at 34 C.F.R. § 100.3; Section 504 of the Rehabilitation Act of 1973 (Section 504), and its implementing regulation at 34 C.F.R. §§ 104.7 & 104.8; and Title II of the Americans with Disabilities Act of 1990 at 28 C.F.R. §§ 35.106 & 35.107, which were at issue in this case.

For Peoria Unified School District:

/s/

3/7/2019

Title

Mr. Steve Savoy
Deputy Superintendent
Peoria Unified School District

Date