

**RESOLUTION AGREEMENT**  
**Amphitheater Public Schools**  
**Case Number 08-19-1076**

In order to resolve issues raised in Case Number 08-19-1076, filed against the Amphitheater Public Schools (hereinafter “the District”) 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 was initiated pursuant to Section 504 of the Rehabilitation Act of 1973 (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), and its implementing regulation at 28 C.F.R. Part 35.

1. The District will provide the Complainant in Case Number 08-19-1076 a written offer, sent via registered mail, to enroll her son (the Student) in the District and evaluate the Student for all suspected disabilities pursuant to Section 504 found at 34 C.F.R. § 104.

**REPORTING REQUIREMENT:** Within 30 days of the date of this Agreement, the District will submit to OCR documentation that the offer was made and the Complainant’s response to this offer.

2. The District will develop policies and procedures addressing all subsections of Section 504 pertaining to elementary and secondary schools found at 34 C.F.R. § 104.

**REPORTING REQUIREMENT:** Within 30 days of the date of this Agreement, the District will submit to OCR for approval a draft of its Section 504 policies and procedures.

3. The District will consider and respond to any feedback from OCR with respect to the draft policies and procedures referenced in Item 2. After obtaining OCR’s approval, the District will officially adopt the policies and procedures and publish them using its standard methods for disseminating new information that is important to students, parents/guardians, employees, and other members of the public.

**REPORTING REQUIREMENT:** Within 60 days of obtaining OCR’s approval of the policies, the District will provide OCR with documentation showing that the policies and procedures have been adopted as the official policy of the District, and where they have been published.

4. The District will provide training to all District teachers, administrators, school aides, and any other District personnel charged with supervising students, on its new Section 504 policies and procedures.

**REPORTING REQUIREMENT:** Within 30 days of the date OCR approves the District’s new Section 504 policies and procedures, the District will submit an outline of this training, including the name, title, and qualifications of the trainer, to OCR for approval. After OCR approves the training outline, the District will conduct the training within 30 days and annually thereafter. Within 15 days after the training is conducted, the District will provide

documentation of the training to OCR, including any sign-in sheets, agendas, handouts, or other materials used in the training.

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 of the Rehabilitation Act of 1973 at 34 C.F.R. §§ 104.4, 104.8, 104.32, 104.33, 104.34, and 104.35 and Title II of the Americans with Disabilities Act of 1990 at 28 C.F.R. § 35.130, 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, 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.

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 Section 504 of the Rehabilitation Act of 1973 at 34 C.F.R. §§ 104.4, 104.8, 104.32, 104.33, 104.34, and 104.35 and Title II of the Americans with Disabilities Act at 28 C.F.R. § 35.130, which were at issue in this case.

For Amphitheater Public Schools:

/s/

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Name

Date

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Title