

RESOLUTION AGREEMENT
Chandler School District
Case Numbers 08-19-1303

In order to resolve the issues raised in Case Number 08-19-1303, that the Chandler School District (the District) discriminated against the Student on the basis of disability when it failed to implement the Student's Individualized Education Program, 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. The District indicated its willingness to take steps necessary to ensure compliance with Section 504 and Title II. The District's decision to enter into this Agreement is not an admission of liability or wrong-doing, nor will it be construed as such.

1. The District will draft for OCR's approval in-service training materials and identify one or more persons knowledgeable about Section 504 and Title II who will provide the training. The training will include, at a minimum:
 - a) A review of the District's responsibility to comply with Section 504 and Title II, which state that educational institutions under OCR's jurisdiction may not discriminate against any person on the basis of disability;
 - b) The prohibition against disability discrimination by public schools, including the District;
 - c) Discussion of the requirements of Section 504 and Title II, including, at a minimum:
 - i) The District's responsibility to provide a free appropriate public education to all students with disabilities in their jurisdictions, including the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met;
 - ii) Failure to provide all of the accommodations listed in an Individualized Education Program (IEP) could result in a denial of a free appropriate public education; and
 - iii) A student's IEP team must inform relevant staff members (teachers, paraprofessionals, nurses, etc.) as to the contents of the IEP and ensure that they understand what is required and how to implement the requirements.

REPORTING REQUIREMENT: Within sixty (60) calendar days of the date of this Agreement, the District will submit documentation to OCR demonstrating that it has fully complied with this paragraph. Such documentation will include:

- o The draft training materials for OCR's review and approval; and

- Identification of the intended trainer(s) and information about the trainer's qualifications.
2. Within thirty (30) calendar days of the date OCR approves the training materials and the trainer, the District will provide the training discussed in Item 1, above, to all faculty and staff at XXXX School.

REPORTING REQUIREMENT: Within ten (10) calendar days after the conclusion of the training, the District will submit to OCR proof that the training was provided. Such documentation will include:

- The agenda and handouts for the training;
 - The date and time the training was held; and
 - A copy of the attendance sheet from the training, including the name and title of each participant, along with a written assurance from the Principal at XXXX School that all required attendees were present during the training.
3. The District will provide a written assurance to the Complainant that should the Student re-enroll within the District in the future, the District will (1) take steps to ensure the Student receives a free appropriate public education; (2) take steps to ensure effective communication between the District and the Student's family regarding the Student's educational needs; and (3) take steps to ensure teachers and staff are informed of and understand their obligations regarding IEP implementation for the Student.

REPORTING REQUIREMENT: Within five (5) calendar days after the execution of this Agreement, the District will provide the written assurance described above to the Complainant, with a copy to OCR.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that during the monitoring of this Agreement, 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. §104.35; and 28 C.F.R. § 35.130(a). 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 Chandler School District:

_____/s/_____
Name Date
Title