

Resolution Agreement
Pasadena Unified School District
OCR Case Number 09-13-1422

To resolve the issues identified by the U.S. Department of Education, Office for Civil Rights (OCR), in the above referenced complaint filed pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act (Title II), Pasadena Unified School District, without admitting to any violation of the law, agrees to implement this Resolution Agreement.

- A. The District will review all of the 2012-13 bus logs from XXXXXXXXX Elementary School (School) to identify every bus that arrived to the School after 8:40am during the year and the students (Students) who rode those buses. The District will calculate the minutes of school time missed by each Student over the course of the school year.

The District will inform OCR of its determinations and calculations, and provide supporting documentation, including the transportation records, by October 31, 2014.

- B. The District will notify the parents/guardians of each Student that the District determined missed school time as a result of late-arriving buses, and that the parents/guardians of any Student still enrolled in a District school are invited to discuss the matter at an IEP meeting.

The District will provide OCR with a draft written notice to parents/guardians for review by October 31, 2014. OCR will promptly review and provide comments, if any, to the draft notice. The District will send the notice to parents/guardians within one week of OCR's approval, with any required edits.

- C. The District will convene an IEP meeting for each Student still enrolled in a District school. The IEP team will review the amount of school missed by the Student, as calculated by the District, and determine the type and amount of compensatory services necessary.

The District will provide OCR with meeting notes from each IEP meeting by November 30, 2014. The notes will memorialize the discussion of the lost school time and the agreed-upon compensatory services. Within two weeks after the end of each semester until the District has provided all of the agreed-upon compensatory services, the District will provide OCR with evidence for each Student that it has provided the required compensatory services during the preceding semester.

- D. The District will investigate to determine the reason buses arrived late to the School in the 2012-13 school year. The District will issue written guidance to all of its school sites explaining the importance to students of arriving to school on time, that the District may be in violation of federal law if buses do not arrive on time, and the procedure for reporting the problem to the District for correction should it recur. The

guidance will address the reason identified for late buses at the School. It will specify the name, title and telephone number of the person to whom schools should report late buses; and the name, title and telephone number of the person responsible for ensuring buses arrive at schools on time; and that individuals may report late buses to OCR.

By October 31, 2014, the District will inform OCR of the reason for the late bus arrivals and provide a draft of the guidance. OCR will promptly review and provide comments, if any, to the draft guidance. The District will disseminate the guidance within one week of receiving OCR's approval.

- E. The District will adopt a procedure to ensure that every bus arrives in time to ensure that student passengers are in class and ready at the beginning of the school day. The procedure will specify that exceptions for inclement weather, mechanical breakdown or other delay will be infrequent, and compensatory services will be provided to affected students within one week of any late arrival.

By November 30, 2014, the District will submit the draft procedure to OCR. OCR will promptly review and provide comments, if any, to the draft procedure. The District will disseminate the procedure within 30 days of receiving OCR's approval.

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 with respect to the issues in this case.

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 Section 504 and Title II.

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 will give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Superintendent or District Representative

_____10/06/2014_____
Date

_____Superintendent_____
Printed name and title

