

Alvord Unified School District

Case Number 09-14-1354

**Resolution Agreement**

Pursuant to the U.S. Department of Education, Office for Civil Rights (OCR) Case Processing Manual at Section 302, OCR has the authority to accept this resolution agreement before the conclusion of the investigation of the above-referenced complaint. In order to resolve this complaint filed with OCR under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act and without admitting to any violation of law, the Alvord Unified School District (District) agrees to implement the following resolution provisions. Pursuant to CPM Section 302, OCR did not make findings regarding the allegation in the complaint.

**Corrective Action**

- The District will provide the Student with six (6) thirty (30) minute compensatory counseling service sessions which shall be completed within 90 days of the Student returning to a District school. At present, the Student is expected to return to the District for the Fall 2014 school term.
- The District will require service providers to maintain the originals of all service logs in the special education office or another appropriate place, as determined by the District. The District will provide OCR confirmation of the aforementioned on or before October 15, 2014.
- The District will institute an auditing system to maintain periodic reviews of counseling service logs kept by its counseling service providers to ensure counseling services are being provided consistent with students' IEPs/Section 504 Plans. The District will provide OCR with a description of the auditing system for OCR approval on or before October 15, 2014. Within 30 days of OCR approval, the District will institute the auditing system.
- The District's special education department will review the counseling records of special education students, for the 2013-2014 school year, to assure that each student has received his or her counseling services consistent with his or her IEP/Section 504 Plan. If any student missed services required as part of his or her IEP/Section 504 Plan, the District will ensure that parents are notified and the students receive the required make-up services within a timely fashion. The District will provide OCR with a list of students identified through the aforementioned review that missed services and a timetable for provision of compensatory services to those students on or before October 15, 2014. By January 16, 2015, the District will confirm to OCR that each student identified has received the compensatory services that were missed.
- The District will provide training to its counseling service providers to ensure that each understands that student services must begin at the start of the school year, and to run through the final weeks of the school year, unless and until an IEP/Section 504 team determines that services are not required during the first and final weeks. The

District will provide OCR with a description of the training provided and a list of participants with their title on or before October 15, 2014.

The District understands that OCR will not close the monitoring of this agreement until OCR determines that it has fulfilled the terms of this agreement and is in compliance with the regulation implementing Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, which were at issue in this complaint.

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 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act.

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.

\_\_\_\_\_/s/\_\_\_\_\_  
Sid Salazar, Ed.D  
Superintendent  
Alvord Unified School District

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08/29/2014  
Date