

Resolution Agreement
Torrance Unified School District
OCR Case No. 09-14-1361

In order to resolve the issues raised in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act of 1990 (Title II), the Torrance Unified School District (District), without admitting any violation of federal law, and without a compliance determination by OCR, agrees to take the actions outlined in this Resolution Agreement (Agreement).

- A. The District will immediately investigate the Complainant's internal complaint, which alleged that during the 2013-2104 school year, a teacher (Teacher) at Richardson Middle School (Middle School) created a hostile environment for the Student and other students with disabilities and failed to implement the Student's Individualized Education Program (IEP) in the Teacher's class.¹ The investigation will be conducted by the District's Section 504 Coordinator, and other appropriate District level staff as necessary.
- B. By November 15, 2014, the District will provide OCR with a summary of its investigation and proposed determination for approval. The information provided will include a description of the District's investigative process, factual information gathered, determination as to whether discrimination, including harassment, occurred, the reasons for its decision and a description of any proposed remedial or corrective actions, including discipline. OCR will review the information provided by the District within 10 days of receipt.
- C. The District will reimburse the Complainant for the cost of twenty (20) compensatory education therapy sessions, one hour per session, to be provided by a mutually agreed upon credentialed special education teacher at a cost not to exceed \$65.00 per hour. By October 15, 2014, the District will provide the Complainant with written explanation of the process for securing reimbursement. The compensatory education will be used by December 31, 2014.
- D. Reporting Requirements:
 - a. Within 2 weeks of receiving approval from OCR, the District will provide the Complainant with written notice of its determination, including the information described in Section B above, and provide OCR with a copy of the written notice.
 - b. If applicable, the District will provide OCR with verification that the remedial or corrective actions have been fully implemented by December 1, 2014.

¹ The District may conduct the investigation under its Uniform Complaint Procedures, subject to the terms and timelines contained in this Resolution Agreement.

- c. reached agreement regarding the provision of compensatory education for the Student. By January 30, 2015, the District will provide documentation to OCR of the reimbursement to the Complainant and the dates, times and locations of the compensatory and/or remedial services provided to the Student, a description of what was provided, and the name(s) of the service provider(s).

E. Monitoring

- a. The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled its terms and is in compliance with the regulation implementing Section 504, at 34 C.F.R. Part 104, and Title II at 28 C.F.R. Part 35, which were at issue in this case.
- b. The District further 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 the regulations implementing Section 504, at 34 C.F.R. Part 104, and Title II at 28 C.F.R. Part 35 which were at issue in this case. By signing this Agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Agreement.
- c. 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) days to cure the alleged breach.

_____/s/_____
Tim Stowe, Ed.D
Chief Academic Officer

10/27/2014
Date