

**Resolution Agreement
Dehesa Charter School
Case No. 09-15-1298**

The Dehesa Charter School (Charter School) agrees to implement this Resolution Agreement (Agreement) to resolve the violations identified by 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 Disability Act (Title II) and their implementing regulations in the above-referenced OCR case number.

- I. Section 504 Policies and Procedures
 - A. The Charter School will develop written procedures outlining its responsibilities under the regulations implementing Section 504 and Title II to provide a free appropriate public education (FAPE) to qualified individuals with disabilities.
 - B. The Charter School's Section 504 policies and procedures will comply with the procedural requirements of 34 C.F.R. §§ 104.34-104.36 pertaining to educational setting, evaluation and placement, and due process protections.
 - C. The Charter School will revise its notice of procedural safeguards entitled, "Your Right Under Section 504" so that it includes a review procedure as required by 34 C.F.R. §104.36 of the regulations.
 - D. Reporting Requirements
 1. By May 31 2018, the Charter School will provide OCR with a draft of the Section 504 policies and procedures and the revised notice of procedural safeguards as described above for OCR's review and approval.
 2. OCR and the Charter School will work cooperatively to resolve any questions presented in the draft documents. The Charter School will address OCR's comments, finalize and adopt the Section 504 policies and procedures and notice of procedural safeguards, and provide a copy of both documents to OCR within 15 days of receiving approval from OCR.
- II. Training
 - A. The Charter School will conduct a training on the Section 504 policies and procedures and notice of procedural safeguards to all staff members who may have responsibility for developing and coordinating the implementation of Section 504 plans. The training will also cover:

1. The Charter School's responsibilities for providing a FAPE to student with disabilities under Section 504, including those students who require administration of medications.
2. The full range of services that can be provided under Section 504 including special education and related aids and services.

A. Reporting Requirements

1. By July 31, 2018, the Charter School will provide a copy of the material (e.g. PowerPoint, handouts etc.) that will be used for the training for OCR's review and approval. The information will also include the names and qualifications of the proposed trainers.
2. By August 31, 2018, the Charter School will confirm to OCR that it provided the trainings by sending OCR a copy of the sign-in sheet with the date, names and titles of the staff members who participated.

III. Notice to Parents and Guardians

- A. Within 15 days of adopting the Section 504 policies and procedures and the revised "Your Right Under Section 504," the Charter School will send a copy of administrative regulations and notice of procedural safeguards to all parents and guardians who have a child with a Section 504 Plan.

- B. The Charter School will also post the Section 504 policies and procedures on its website and include the link in the Parent Handbook for the 2018-19 school year.

C. Reporting Requirements

1. The Charter School will provide OCR with a list of names of all of the parents and guardians who received a copy of the Section 504 policies and procedures and the revised "Your Right Under Section 504" with the date of when the documents were sent.
2. Within 15 days of adopting the Section 504 policies and procedures, the Charter School will post the administrative regulations on its website.
3. By August 31, 2018, the Charter School will send OCR the page from its 2018-19 Parent Handbook that includes the link to the Section 504 policies and procedures.

IV. Non-Discrimination in Programs and Activities

- A. The Charter School will develop medication administration procedures to ensure that a student, who needs to take medication that requires nursing assessment, interpretation, or decision-making, is able to participate in classes held at the Learning Center by the Charter School without having their parent or guardian being present. The procedures will be consistent with Section 504 requirements to provide a FAPE and nondiscrimination to all students with disabilities in the recipient's programs and activities.
- B. The Charter School will revise its Medical Treatment Parent Acknowledgement Consent Form to be consistent with its medication administration procedures and Section 504 FAPE and nondiscrimination requirements.
- C. Reporting Requirements
 - 1. By April 30, 2018, the Charter School will provide OCR with a draft of its medication administration policy for OCR's review and approval.
 - 2. The Charter School will address OCR's comments to the policy, adopt the policy, and provide OCR with a copy of the policy within 15 days of receiving approval from OCR.
 - 3. Within 30 days of adopting the medication administration policy, the Charter School will provide OCR with a draft of its revised Medical Treatment Parent Acknowledgement Consent Form for OCR's review and approval.
 - 4. Within 15 days of receiving OCR's approval, the Charter School will adopt the revised Consent Form and provide OCR with a copy of it. The revised Consent Form will also be sent to all parents and guardians for the current school.
 - 5. If the Charter School discontinues its Learning Centers, the Charter School will have satisfied item IV of this Agreement by providing OCR with documentation confirming the closure of all its Learning Centers, including the date of when all of the Learning Centers will be closed by April 30, 2018.

V. Monitoring

- A. The Charter School 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 Charter School understands that during the monitoring of this Agreement, if necessary, OCR may visit the Charter School, interview staff and students and request such additional reports or data as are necessary for OCR to determine whether the

Charter School has fulfilled the terms of this Agreement. Upon the Charter School's satisfaction of the commitment made under this Agreement, OCR shall close the case.

- B. The Charter School 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 Charter School written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Terri Novacek
Executive Director

April 23, 2018