

**Resolution Agreement
Paramount Unified School District
Case Number 09-17-1617**

The Paramount Unified School District (District) agrees to implement this Resolution Agreement (Agreement) to resolve the issues investigated 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 Disabilities Act of 1990, as amended (Title II), and their implementing regulations.

I. PROVISIONS

- A. Within seven calendar days of execution of this Agreement, the District will offer the Complainant restoration of the Student's inter-district transfer permit for enrollment beginning in the 2018-19 school year at XXXXXX Elementary School, and on the same terms for future school years as applied to the inter-district transfer permit first approved for the Student, except under the circumstances where the Student's 504 or IEP team determines that services for the Student's placement are best provided at a different District school location.
 - (A1) Within five (5) days of the Student's enrollment in the District as described in Provision A, the District will provide OCR documentation of this enrollment.
- B. Within 15 calendar days of the Student's enrollment, the District will complete and provide to the Student's parents a plan for evaluation of the Student which addresses the Student's anxiety and his inability or refusal to speak to adults. If the District receives consent to this evaluation, it will be completed within 60 days and considered at a meeting of a Section 504 or Individualized Education Program (IEP) team. The team will determine the special education or related aids and services, if any, needed to meet the Student's needs as adequately as the needs of nondisabled students are met. The team will also determine whether the Student's disability affects his ability to attend school regularly and, if so, whether modifications of school policies on attendance are appropriate.
 - (B1) Within two weeks of the team's determinations described in provision (B), the District will submit to OCR documents supporting the team's determinations. The documentation submitted shall include the plan for evaluation and reports from any evaluation conducted, documentation showing the participants in the meeting, an explanation for decisions made, the information considered, and if determined necessary, a description of Section 504 or IEP services (if any) for the Student. OCR will review the documentation to ensure that the District met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, in making these determinations.

C. Within 45 calendar days of the execution of this Agreement, the District will provide OCR, for OCR's review and approval, a draft of a guidance memorandum it has developed to remind School administrators and staff about the existence and operation of District 504 policies and procedures for referral and evaluation of students who need, or are believed to need, special education or related services under Section 504, and District 504 policies and procedures for the provision of notice of Section 504 procedural safeguards.

(C1) Within 15 calendar days from the start of the 2018-19 school year and after receiving approval from OCR, the District will distribute the guidance memorandum to administrators and staff at the School.

D. Within 60 calendar days from the start of the 2018-19 school year, the District will conduct training for School administrators and staff on the District's 504 policies and procedures for providing a free, appropriate public education under Section 504 and Title II that covers the information provided in the guidance memorandum.

(D1) The training will cover, but is not limited to, the following:

- i. The definition of an individual with a disability and the definition of major life activities consistent with Section 504 and the Americans with Disabilities Amendments Act of 2008 (ADAA);
- ii. The District and School's responsibility to appropriately and timely identify, evaluate, and place students with special needs, including those students who need, or are believed to need, special education or related services.
- iii. The District and School's responsibility to provide notice to parents/guardians of procedural safeguards with respect to actions regarding the identification, evaluation, or placements of students who, because of disability, need or are believed to need special instruction or related services, including when decisions are made in any type of meeting with a parent or guardian not to make an eligibility determination under Section 504, or not to conduct such an evaluation.

D(2) Within 30 calendar days from the start of the 2018-19 school year, the District will provide OCR with a copy of the training materials for the training for OCR review and approval, along with providing the name and qualifications of the individual proposed to provide the training.

D(3) Within 30 calendar days of conducting the training, the District will provide documentation to OCR showing that the appropriate employees have received the training. Documentation shall include name and title of the person who provided the training, training materials used, list of training date(s), a list of attendees, and a list of School staff.

II. MONITORING

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. Upon the District's satisfaction of the commitments made under the Agreement, OCR will close the case.

The District understands that OCR will not close the monitoring of this Agreement until such time that OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with Section 504, Title II, and their implementing regulations.

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 sixty (60) calendar days to cure the alleged breach.

_____/s/_____
District Superintendent

_____05/15/2018_____
Date