

Resolution Agreement
Alhambra Unified School District
OCR Case No. 09-17-1672

In order to resolve the allegations in the above-referenced complaint to 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), the Alhambra Unified School District (District) agrees to take the actions outlined in this Resolution Agreement (Agreement).

I. Interdistrict Permit

- A. By January 15, 2018, the District will offer the Complainant in writing the opportunity for the Student to use an interdistrict permit to attend Park Elementary School (the School). The offer will state that the Student will have the option of returning to the School either in the current school year (starting on or around February 1, 2018) or at the beginning of the 2018-2019 school year. The District will provide the Complainant 30 days to notify the District as to whether she will accept the offer and return the Student to the School.

II. Written Guidance and Training

- A. The District will issue written guidance and provide training to all relevant staff at Park Elementary School, including site administrators, special education teachers, school psychologists, and general education teachers, concerning the District's responsibility to ensure the provision of a free appropriate public education (FAPE) to students with disabilities under IDEA and Section 504. The guidance and training will include a focus on staff's responsibilities for ensuring that all students who may have a disability and need services under IDEA or Section 504 are located, identified, and evaluated for special education and disability-related services in a timely manner. The guidance and training will also address when the District must provide parents with notice of procedural safeguards in the IEP and Section 504 process.

III. Monitoring and Reporting

- A. By January 15, 2018, the District will provide documentation showing that it has made the offer for the interdistrict permit described in Part I above. By March 1, 2018, the District will provide OCR with confirmation as to whether the Complainant has accepted or declined the offer.
- B. By February 15, 2018, the District will provide a draft of the guidance documents and proposed training materials described in Section II to OCR for review and approval.

The District will issue the guidance and provide the training by June 15, 2018. Within 30 days of issuing the guidance and conducting the training, the District will provide documentation to OCR that the guidance document(s) were distributed and that all staff required under Section II were trained, including documentation (e.g., a sign-in sheet or other evidence) showing training attendance by name and title of attendees, a copy of the materials distributed at the training, the name and title of the trainer(s), and the date of the training.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the District understands that during the monitoring of this Agreement, 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 Section 504 and Title II and their implementing regulations, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

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

_____/s/_____

____12/21/2017_____

Dr. Laurel Bear
Assistant Superintendent, Alhambra Unified School District

Date