

VOLUNTARY RESOLUTION AGREEMENT

I. INTRODUCTION

Longview School District No. 122 (district) enters into this voluntary resolution agreement to resolve the allegation in a complaint (Reference No. 10131155) filed with the U.S. Department of Education, Office for Civil Rights (OCR), under section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990.

II. GENERAL PROVISIONS

- A. This agreement resolves the allegation in Reference No. 10131155 and does not constitute an admission by the district of any violation of Section 504, Title II, or any other law.
- B. OCR agrees to discontinue its investigation of Reference No.10131155 based upon the district's commitment to take the actions specified in this agreement which, when fully implemented, will resolve the allegation in this complaint.
- C. The district understands and acknowledges that, if it does not fully implement this agreement, OCR will take appropriate measures within its authority to effect compliance, and that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this agreement.

Before initiating administrative enforcement (34 CFR §§ 100.9 and 100.10; 28 CFR § 35.174), 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.

- D. The district understands that by signing this agreement, it agrees to provide OCR 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 regulations implementing Section 504 at 34 CFR § 104.4 and Title II at 28 CFR §§ 35.130 and 35.139, as those regulations were at issue in this complaint.
- E. OCR will close the monitoring of this agreement when OCR determines that the district has fulfilled the terms of the agreement and is in compliance with the regulations implementing Section 504 at 34 CFR § 104.4 and Title II at 28 CFR §§ 35.130 and 35.139, as those regulations were at issue in this complaint.

III. RESOLUTION PROVISIONS

A. Policies and Procedures

1. In consultation with OCR and according to the timeline in section IV.A, the district will develop, review, and revise, as needed, its policies and procedures regarding district visitors, trespass warnings, and trespass orders to ensure that they are consistent with Section 504 and Title II.
2. By June 6, 2014, the district will provide written notice to employees, parents and guardians, volunteers, and other interested persons of any new or revised policies and procedures. Methods may include posting such notice on the district's website, publishing such notice in an issue of the district's weekly employee newsletter, and other common means of communicating to the district community.
3. By June 6, 2014, the district will provide training to the central-office staff and building principals who are involved with implementing any new or revised policies and procedures.

B. Individual Remedy

According to the timeline in section IV.B, the district will mail a letter to the complainant, which will include explanations regarding: (1) its commitment to provide equal access to district programs and facilities to parents and guardians regardless of their disabilities, in accordance with Section 504 and Title II; (2) the district's expectation that parents and guardians, with or without disabilities, comply with the district's safety and conduct policies and procedures, which apply to all members of the public, and that failure to comply with the safety and conduct policies and procedures may lead to limiting access to programs and facilities in accordance with the district's policies and procedures; (3) pursuant to this agreement, the district's planned steps to review and revise its policies and procedures regarding district visitors, trespass warnings, and trespass orders, and the approximate timeframe that the district will mail a copy of any such revised policies and procedures to the complainant; (4) the process that is available to the complainant if he would like to modify his no-trespass order, or have it lifted; (5) the procedures for reporting possible parking violations at XXXXXXXXXXXX; and (6) the employee who has been assigned as the contact person for the complainant, and who will be responsible for addressing the complainant's questions and concerns about the conduct of district visitors and trespass orders.

IV. REPORTING PROVISIONS

A. Policies and Procedures

1. By January 10, 2014, pursuant to section III.A.1, the district will provide OCR a copy of its proposed policies and procedures. OCR will review the proposed policies and procedures and provide written feedback within 45 calendar days of receipt.
2. By May 2, 2014, or 90 calendar days after receiving OCR's written feedback, whichever occurs later, the district will address the feedback and will provide OCR with a copy of the final policies and procedures and minutes from board of directors meetings where the policies and procedures were discussed by the directors.
3. By June 6, 2014, the district will provide OCR with a report about the notification required under section III.A.2. The report will include a copy of the notices and a description of how and where the notices were disseminated.
4. By June 6, 2014, the district will submit a report about its training actions required under section III.A.3. The report will include copies of the training materials; the date(s) of the training; a summary of the training and qualifications of the presenter(s); and a list of the employees, by name and title, who attended the training.

B. Individual Remedy

1. By December 20, 2013, pursuant to section III.B, the district will provide OCR with a copy of its proposed letter to the complainant. OCR will review the proposed letter and provide written feedback within 14 calendar days of receipt of the proposed letter.
2. By January 30, 2014, or 14 calendar days after receiving OCR's feedback, whichever occurs later, the district will address the feedback and will provide OCR with a copy of the letter sent to the complainant.
3. By July 1, 2014, pursuant to section III.B, the district will submit a report about the steps, if any, that the complainant and/or the district has taken to address concerns regarding the complainant's no-trespass order, and a copy of any revised policies and procedures mailed to the complainant.

Signed:

/ s /
Dr. Suzanne Cusick
Superintendent
Longview School District No. 122

11/25/2013
Date