

VOLUNTARY RESOLUTION AGREEMENT
Union Gap School District
OCR Reference No. 10151156

I. INTRODUCTION

Union Gap School District No. 2 (district) enters into this agreement to resolve the complaint, OCR Reference No. 10151156, filed with the U.S. Department of Education (OCR) under the authority of Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35 and Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104.

II. GENERAL PROVISIONS

- A. This agreement resolves the allegation in OCR Reference No.10151156 concerning the district's policies and procedures regarding service animals and does not constitute an admission by the district of any violation of Title II, Section 504, or any other law.
- B. 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, 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.
- C. 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 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 Title II at 28 C.F.R. 35.136, with respect to the issue in this case.
- D. The district understands that OCR will not close the monitoring of this agreement until OCR determines that the district has fulfilled the terms of this agreement and is in compliance with the regulations implementing Title II at 28 C.F.R. 35.136, with respect to the issue in this case.

III. REMEDIAL PROVISIONS

A. Policy Review and Revision

1. Once this agreement is signed, OCR will promptly review and provide feedback to the district's Superintendent on the district's Policy No. 2030 Instruction Policy, "Service Animals in Schools," which was adopted August 23, 2011, and its accompanying procedure, 2030P, and any other policies and procedures relating to the use of service animals on the district's campuses. The district provided OCR with this policy and procedure during the course of OCR's investigation.
2. By September 10, 2015, or within 15 days of receiving feedback on Policy No. 2030 and Procedure No. 2030P, whichever is later, the district will provide OCR with final draft versions of the policies and procedures that will be presented to the school board for a first reading at the district's September 2015 district school board meeting or an earlier meeting, if feasible.
3. By November 6, 2015, the district will confirm for OCR whether the policies and procedures submitted under III.A.2 above, were approved and finalized at or before the district's October 2015 school board meeting.
 - a. If the policies and procedures submitted under III.A.2 above were approved and finalized by the district school board, the district will provide OCR with a copy of the finalized policy and procedure, and copies of the school board meeting minutes reflecting adoption.
 - b. If the policies and procedures submitted under III.A.2 above were not approved and finalized at the district's September and October 2015 school board meetings, the district will provide OCR with (i) an explanation as to the status of the draft policies and procedures, (ii) copies of any different policy and procedure being considered by the board, if any, for OCR's review and approval, and (iii) the date by which the district will provide another report to confirm that service animal policies and procedures that have been approved by OCR have been finalized and adopted by the district.

B. Notice & Training Requirements

1. By November 15, 2015, or within 15 days of the school board's final adoption of revised service animal policies and procedures that were approved by OCR, whichever is later, the district will submit to OCR documentation to show the revised policies and procedures have been

published on the district’s website and posted in any other appropriate locations. Specifically, the district will provide OCR with:

- a. the URL addresses where the revised policies and procedures are located on the district’s website, and
 - b. identification of any public notices or print publications where the policies and procedures have been posted or included.
2. By January 15, 2016, or within 45 days of the school board’s final adoption of revised service animal policies and procedures that were approved by OCR, the district will provide notice and training to district principals and other administrators that regularly interact with parents and other members of the public. The training will include, but shall not be limited to:
- a. an explanation of the prohibitions against disability discrimination and protections for disabled individuals with services animals provided under Section 504 and Title II;
 - b. a review of the district’s service animal policies and procedures that were revised pursuant to section III.A of the agreement;
 - c. the name, position title, and contact information of the district employee who is responsible for responding to and resolving complaints of disability discrimination, including service animal complaints.

REPORTING REQUIREMENT: By January 30, 2016, or within 60 days of the school board’s final adoption of revised service animal policies and procedures that were approved by OCR, the district will provide OCR a report on the training it provided pursuant to section III.B.2 of the agreement. The report will include, but is not limited to: the dates of training(s); identification of staff who provided the training; the duration, agenda, and description of the training(s); a signed list of the employees by name and position title, who attended the training; and copies of any handouts used in the trainings.

Signed:

_____/s/_____
Superintendent Kurt Hilyard
Union Gap School District No. 2

August 26, 2015
Date