

VOLUNTARY RESOLUTION AGREEMENT

I. INTRODUCTION

The Spokane School District No. 81 (District) enters into this Voluntary Resolution Agreement (Agreement) to resolve the allegation in a complaint (Reference No. 10171326) filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504) and its implementing regulations at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II) and its implementing regulations at 28 C.F.R. Part 35.

II. RESOLUTION AND REPORTING PROVISIONS

A. Policies and Procedures

The District will review and, if needed, revise its existing policies, procedures, and practices regarding service animals and visitors at schools, to ensure:

- (1) The District permits an individual with a disability to use his/her service animal when s/he is present in District schools and participates in District programs and services as a visitor, consistent with the Title II regulations at 28 C.F.R. §§ 35.104, 35.136, and 35.139.
- (2) The District permits an individual with a disability to be accompanied by his/her service animal in all areas of the District's facilities where (and how) similarly situated members of the public, participants, or invitees are allowed to go, consistent with the Section 504 regulations at 34 C.F.R. §§ 104.4(a), 104.4(b)(1)(ii), and 104.4(b)(1)(vii); and consistent with the Title II regulations at 28 C.F.R. §§ 35.130(a), 35.130(b)(1)(ii), 35.130(b)(1)(vii), and 35.136(g).

Reporting Step 1: By March 30, 2018, the District will submit a copy of its proposed (or current – if no changes are proposed) policies, procedures, and practices for OCR's review. If OCR requires any changes to the District's proposed policies, procedures, and practices, the District will make the changes

and re-submit the policies, procedures, and practices within 30 calendar days of receiving OCR's notice of the required changes. OCR and the District will continue this process until OCR approves the District's policies, procedures, and practices.

Reporting Step 2: Within 60 calendar days of receiving OCR's approval of the District's policies, procedures, and practices, the District will adopt, publish, and implement them, including at XXXXXX School, and will submit a report regarding its actions.

B. Notice

(1) General Notice to the Public

The District will provide notice on its website of: (a) the District's assurance that it will permit individuals with disabilities to use their service animals on District property and in its programs in accordance with Section 504 and Title II; (b) a link to District's policies and procedures regarding service animals; and (c) the contact information of the District employee who is responsible for responding to any inquiries or complaints regarding the policies and procedures.

(2) Internal Notice to Employees

The District will provide notice to all District employees of: (a) their obligation to permit individuals with disabilities to use their service animals on District property and in its programs consistent with the District's policies, procedures, and laws; (b) a link to the District's policies and procedures regarding service animals; and (c) the contact information of the District employee who is responsible for responding to any inquiries or complaints regarding the policies and procedures.

(3) School Signage

The District will post permanent and clearly visible signs at the entrance and main office of XXXXXX School stating: (a) services animals are permitted at XXXXXXXXXXXX School; (b) how and where visitors are required to sign-in at XXXXXXXXXXXX School;

and (c) the position title and contact information of the District employee who is responsible for responding to any inquiries or complaints.

Reporting Step 1: By March 30, 2018, the District will submit a copy of its proposed notices and signage for OCR's review. If OCR requires any changes to the notices or signage, the District will make the changes and re-submit the proposed notices and signage within 30 calendar days of receiving OCR's notice of the required changes. OCR and the District will continue this process until OCR approves the District's notices and signage.

Reporting Step 2: Within 30 calendar days of receiving OCR's approval of the District's notices and signage, the District will disseminate the notices and post the signage at XXXXXXXXXX School, and provide OCR with a copy of the final notices, a description of how and where they were disseminated, and photographs showing where the signage was posted.

C. Training

The District will provide training to all administrators at XXXXXXXXXX School and all staff at XXXXXXXXXX School who may encounter visitors during the school day. The District also will provide training to the District's Section 504 compliance officer (who is the employee responsible for responding to inquiries and complaints regarding the District's service animal policies and procedures).

The training for XXXXXXXXXX School employees will review:

- (1) The District's policies, procedures, and practices regarding service animals and visitors and schools, and any substantive changes made to them under this Agreement.
- (2) The employees' responsibilities and duties under the District's policies, procedures, and practices when interacting with a visitor with a service animal.
- (3) The name, position title, and contact information of the District employee who is responsible for responding to inquiries and complaints regarding service animals.

The training for the District's Section 504 compliance officer will review:

- (4) In addition to Section II.C(1)-(2), the Title II provisions regarding service animals at 28 C.F.R. §§ 35.104, 35.136, and 35.139.

Reporting Step 1: By April 30, 2018, the District will submit a copy of its proposed training materials for OCR's review. If OCR requires any changes to the proposed training, the District will make the changes and re-submit them within 30 calendar days of receiving OCR's notice of the required changes. OCR and the District will continue this process until OCR approves the District's training materials.

Reporting Step 2: Within 90 calendar days of receiving OCR's approval of its proposed training materials, the District will conduct the required training, and provide OCR with a report about its training actions. The report will include a copy of the training materials; the date(s) of the training; a summary of the qualifications of the presenter(s); and a copy of the sign-in sheets for all training sessions showing the names and position titles of the employees who attended.

D. Individual Remedy

The District will provide the Complainant a letter, which will include:

- (1) An assurance that, in compliance with Section 504 and Title II, the District does not discriminate against individuals with disabilities, including those who use service animals, based on disability in its facilities, programs, or services.
- (2) A statement that the Complainant will be permitted to be accompanied by his service animal in all areas of the District's facilities, including XXXXXXXXXXXX School, where and how similarly situated visitors, participants, or invitees are allowed.
- (3) A description of XXXXXXXXXXXX School's visitor procedure that applies to all visitors, including where family members may drop off and pick up students at XXXXXXXXXXXX School.
- (4) An explanation that the District will provide a copy of or digital link to any District policies and procedures, which may be revised

pursuant to the Agreement, to the Complainant once it has been approved by OCR.

- (5) The name, position title, and contact information of the District employee who is responsible for responding to any questions or complaints from the Complainant regarding access to the District's facilities, including XXXXXXXXX School, or the District's policies and procedures.
- (6) An offer to meet with the Complainant and his parent/guardian to review the letter, and answer any questions or concerns the Complainant may have about the letter.

Reporting Step 1: By April 30, 2018, the District will submit a copy of its proposed letter for OCR's review. If OCR requires any changes to the proposed letter, the District will make the changes and re-submit its proposed letter within 30 calendar days of receiving OCR's notice of the required changes. OCR and the District will continue this process until OCR approves the District's letter.

Reporting Step 2: Within 30 calendar days of receiving OCR's approval of the letter, the District will send the letter to the Complainant and his parent/guardian with a courtesy copy to OCR.

Reporting Step 3: Within 30 calendar days of receiving OCR's approval of the District's policies, procedures, and practices pursuant to Section II.A, the District will send a copy of them to the Complainant and his parent/guardian with a courtesy copy to OCR.

III. GENERAL PROVISIONS

- A. This Agreement resolves the allegation in OCR Reference No. 10171326.
- B. OCR agrees to discontinue its investigation of OCR Reference No. 10171326 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.

