



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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SEATTLE, WA 98174-1099

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## RESOLUTION AGREEMENT

### I. INTRODUCTION

The Washoe School District (District) enters into this agreement to resolve the allegations in OCR Reference No. 10181035, filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR). The complaint allegations were brought under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and Title II of the Americans with Disabilities Act of 1990 (“Title II”).

### II. REMEDIAL AND REPORTING PROVISIONS

#### A. Policies and Procedures

The District will review and revise, as necessary, its policies and procedures and independent contractor agreement governing the relationship between the Boys and Girls Club and Lois Allen Elementary School, to ensure that the District is not directly, or through contractual or other arrangements, utilizing criteria or methods of administration that have the effect of discriminating against students on the basis of disability; and the District is not providing significant assistance to an agency, such as the Boys and Girls Club, that discriminates on the basis of disability. Specifically, the policies and procedures will ensure that qualified disabled students receive the supplementary aids and services they require in order to have an equal opportunity to participate in the Boys and Girls Club before and after school program. See Section 504 implementing regulations at 34 C.F.R. § 104.4(b)(1)(v), § 104.4(b)(4), §104.4(b)(5), §104.4(b)(6), §104.34(b), §104.37(a)(1), §104.37(a)(2) and the Title II implementing regulations at 28 C.F.R. § 35.130(a)(1), §35.130(b)(1)(v), §35.130(b)(3).

#### Reporting (Policies and Procedures)

- a) Within 60 calendar days of the date of this agreement, the District will submit a report to OCR containing draft policies and procedures consistent with section II.A. of this Agreement, including any documents the District reviewed. If OCR requires any additional information, the District will submit the additional information within 20 calendar days of receiving OCR’s request for the additional

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information. OCR and the District will repeat this process until OCR approves the District's policies and procedures.

- b) Within 90 days of OCR's approval of the policies and procedures, the District will submit a report to OCR demonstrating that it has adopted and published the policies and procedures.

**B. Notice and Training**

- 1) Within 90 days of receiving OCR's approval of the policies and procedures, the District will provide notice of the policies and procedures to all persons responsible for providing student services in the Boys and Girls Club before and after school program at Lois Allen Elementary School, and the parents of students in the program. Electronic notice will satisfy this provision if it is reasonably calculated to give notice the required persons.
- 2) Within 60 days of receiving OCR's approval of the policies and procedures, the District shall deliver training about the policies and procedures to all District staff involved with the Boys and Girls Club before and after school program at Lois Allen Elementary School, and offer the training to any Boys and Girls Club staff who provide manage, coordinate, or provide program services at the school.

**Reporting (on Training)**

- a) Within 30 calendar days of providing the notice described above, the District will submit a report to OCR with a copy of the notice and a description of the method the district used to disseminate the notice.
- b) Within 30 calendar days of the date of delivering the training described above, the District will submit to OCR documentation that the training has been delivered. The documentation will include the date and time for the training, a list of invitees and attendees and their position titles, a description of the training content, and the presenters' credentials for providing such training.

**C. Individual Student**

- 1) Within 30 calendar days of the date of this Agreement, the District shall draft a letter, for OCR's review and approval, to the parent of the student who is the subject of this complaint. The letter will express regret for the experience that the student had in the Boys and Girls Club program during the 2016–2017 and 2017–2018 school years, related to the student's disability. The letter will contain an

assurance by the District that should the student return to the District, he will be provided any necessary auxiliary aids and services in the Boys and Girls Club program so that he may be provided an equal opportunity to participate in the program.

- 2) Within 30 calendar days of the date of this Agreement, the District shall reimburse the parent of the student for the cost of the Boys and Girls Club program, from May 13, 2017, through November 8, 2017.

### **Reporting (on Individual Student)**

- a) Within 60 calendar days of date of this Agreement, the District will submit, for OCR's review and approval, the letter required by section II.D. of this Agreement. If OCR requires any changes to the letter, the District will make the changes and resubmit the letter within 20 calendar days of receiving OCR's required changes. OCR and the District will follow the same process until OCR approves the letter.
- b) Within 15 calendar days of receiving OCR's approval of the letter, the District will submit a report to OCR with information demonstrating that it sent the letter to the student's parent.
- c) Within 15 calendar days of sending the reimbursement to the parent of the student, the District will submit a report to OCR containing proof of the reimbursement.

### **III. GENERAL PROVISIONS**

- A. The District understands that by signing this Agreement, it agrees to provide OCR 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 clients, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement.
- B. Upon the District's satisfaction of the commitments made under this Agreement, OCR will close the case.
- C. 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.

- D. This agreement will become effective immediately upon the signature of the District's representative below.

\_\_\_\_\_/s/\_\_\_\_\_  
Ms. Traci Davis  
Superintendent  
Washoe School District

\_\_\_\_\_June 19, 2018\_\_\_\_\_  
Date