

VOLUNTARY RESOLUTION AGREEMENT

I. INTRODUCTION

Moses Lake School District No. 161 (the district) enters into this agreement to resolve the allegations in a complaint (Reference No. 10181077) 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 Title II of the Americans with Disabilities Act of 1990 (Title II), and their implementing regulations at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, respectively.

II. RESOLUTION PROVISIONS AND REPORTING PROVISIONS

A. Policies and Procedures

The district will review and revise, as necessary, its Section 504 and Title II policies and procedures (procedures) to ensure that all employees at XXXXXX who are responsible for implementing a student's individualized education program (IEP) or Section 504 plan, including substitute teachers, are provided access to a copy of the student's IEP or Section 504 plan and are aware of their obligation to implement all provisions of such plans. The procedures will ensure that if an employee or substitute teacher has a question about how to implement a student's plan, they will be provided with appropriate information about whom to contact, i.e., the student's case manager, special education teacher, or other staff member. Students shall not be required to carry a copy of their IEP or Section 504 plan to provide to an employee or substitute teacher.

Reporting Requirements:

- a) By August 31, 2018, the district will provide OCR a draft of the procedures, as described above, for OCR's review and approval. If OCR requires any changes to the procedures, the district will resubmit the procedures within 30 days of receiving notice of OCR's revisions. OCR and the district will repeat this process until OCR approves the procedures.
- b) Within 30 days of receiving OCR's written approval of the procedures, the district will provide OCR with documentation to substantiate that it has adopted the approved procedures.

B. Notice and Training

1. Within 30 days of receiving OCR's written approval of the procedures described in Section II.A, above, the district will provide notice to all district employees, electronically or in writing, regarding the procedures.
2. Within 60 days of receiving OCR's approval of the procedures described in Section II.A, above, the district will provide training to all XXXXXX administrators and employees responsible for implementing students' IEPs or Section 504 plans regarding the procedures.

Reporting Requirements:

- a) Within 45 days of receiving OCR's written approval of the procedures described in Section II.A, above, the district will submit documentation to OCR demonstrating its compliance with Section II.B.1, including a copy of the notice sent to district employees.
- b) Within 75 days of receiving OCR's written approval of the procedures described in Section II.A, above, the district will submit documentation to OCR demonstrating its compliance with Section II.B.2, including but not limited to, the dates and length of the training; the name and title of the person providing the training; a copy of the agenda or outline of the training; and the names and position titles of those who attended the training.

C. Student Specific Remedy

The district will send the student's parents a letter stating that the district has reviewed and, if appropriate, revised its policies and procedures with respect to the responsibility of administrators and staff, including substitute teachers, to ensure that students' IEPs and Section 504 plans are consistently implemented. The letter will also state that students are not required to carry or present their Section 504 plan to staff members.

Reporting Requirement:

By August 31, 2018, the district will provide OCR with a report indicating that it completed the actions described in Section II.C, above, and will provide OCR with a copy of the letter sent to the student's parents.

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 the agreement. Further, the district understands that during the monitoring of this agreement, if necessary, 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. Upon completion of the obligations under this agreement, OCR shall close this case.

- B. 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.

_____/s/_____
Dr. Joshua Meek
Superintendent
Moses Lake School District

June 19, 2018
Date