

VOLUNTARY RESOLUTION AGREEMENT

I. INTRODUCTION

Portland School District 1J (district) enters into this agreement to resolve the allegation in a complaint (Reference No. 10191017) 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).

II. RESOLUTION PROVISIONS

1. By May 15, 2019, after providing proper written notice to the student's parent/guardian, a group of knowledgeable persons, including the parent/guardian, will determine whether the student needs compensatory and/or remedial services as a result of the district's failure to provide appropriate regular and/or special education or related services during the 2018-2019 school year. If so, within one week of its determination, the group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond July 1, 2019. The district will provide the student's parent/guardian notice of the procedural safeguards, which describe dispute resolution options, including impartial due process, if there is disagreement with the team's decisions.

Reporting Requirements:

- a. Within two weeks of the decision as to whether compensatory and/or remedial services are needed, the district will submit to OCR documents supporting the group's decision. The documentation submitted shall include documentation showing the participants in the meeting, an explanation for decisions made, the information considered, and a description of and schedule for providing any compensatory and/or remedial services (if any) to the student. OCR will, prior to approving the district's decision and plan for providing the proposed services, review the documentation to ensure that the district met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35, and 104.36, in making these determinations.
- b. By August 31, 2019, the district will provide documentation to OCR of the dates, times, and locations that compensatory and/or remedial services

were provided, a description of what was provided, and the name(s) of the service provider(s).

III. GENERAL PROVISIONS

1. The district understands by signing the agreement it agrees to provide 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 the resolution agreement, if necessary, OCR may visit the district, interview staff and students, and request such additional data and reports as are necessary for OCR to determine whether the district has fulfilled the terms and obligations of the agreement.
2. Upon the district’s satisfaction of the commitments made under the agreement, OCR will close the case.
3. The district understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the agreement and/or the applicable statutes and regulations. Before initiating such proceedings, OCR will give the district written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Signed:

_____/s/_____
Mr. Guadalupe Guerrero
Superintendent
Portland School District No. 1J

____April 11, 2019_____
Date