

RESOLUTION AGREEMENT

The Washoe County School District (District) voluntarily agrees to take the following actions to resolve the complaint (OCR Reference No. 10211124) filed with the U.S. Department of Education's 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).

I. REMEDIAL PROVISIONS

A. Rise Academy Policies and Procedures

1. The District will revise the policies and procedures (revised policies) relating to the requirements for students to enroll in Rise Academy to ensure that students with disabilities, including students with individualized education programs (IEPs), are not excluded from Rise Academy programs, services, and activities. The District will ensure that the revised policies require that students with disabilities, including students with IEPs, are supported in Rise Academy programs, services, and activities consistent with a disabled student's needs, including as described in any student's IEP and including the provision of appropriate staffing.
2. Reporting Provision. By November 19, 2021, the District will submit to OCR, for its review and approval, the revised policies the District drafted pursuant to Section I.A.1. of this Agreement. If OCR requires any changes to the revised policies, the District will respond and resubmit the revised policies within 45-calendar days of receiving OCR's notice of required revisions. OCR and the District will repeat this process until OCR has approved the revised policies.
3. Within 60 days of receiving OCR's written approval of the revised policies, the District will adopt the revised policies.
4. Reporting Provision. Within 75-calendar days of receiving OCR's written approval of the revised policies, the District will submit to OCR documentation that the District adopted the revised policies.

B. Notices to Students

1. By October 29, 2021, the District will review the records of all current RISE Academy students and determine whether any of those students received special education services under an IEP at another District high school and provide written notice to those students about the process to access disability-related services while enrolled at RISE Academy. The notice will indicate that the District will either implement the student's prior IEP or will, without undue delay, hold an IEP meeting to determine any appropriate amendments to the IEP needed for the student to receive a free appropriate public education at Rise Academy or to otherwise access Rise Academy programs, services, and activities in a way that will meet the student's

- disability-related needs (through an IEP, Section 504 plan, or reasonable modifications to policies, practices, or procedures) and specify how those students could immediately access regular or special education and related aids and services designed to meet their needs while enrolled in RISE Academy.
2. By January 1, 2022, the District will send written notices by e-mail and mail to current students attending other District high schools and former District students who have dropped out and are not yet 22 years old (collectively “other students”), who previously revoked their right to receive services under an IEP, or who were denied admission to Rise Academy because they did not revoke their right to receive services through an IEP, or who received an alternate diploma. The notice will inform the other students of the opportunity to access Rise Academy programs, services, and activities, including the adult diploma option, without a requirement to revoke the right to receive services through an IEP. The notice will inform the other students about their rights to have their disability-related needs met while enrolled in Rise Academy. The notice will request a timely response from the other students either by telephone or in writing.
 3. Reporting Provision. By January 28, 2022, the District will submit to OCR documentation demonstrating the District’s compliance with Sections I.B.1-2, including a copy of the notices and the responses received.

C. Trainings

1. By October 29, 2021, the District will provide training to Rise Academy administrators, school counselors, and teachers about the requirements of the Individuals with Disabilities Education Act and Section 504 and their responsibilities to support the implementation of students’ IEPs and Section 504 plans.
2. By December 10, 2021, the District will deliver trainings to all District high school administrators, school counselors, and special education case managers about how students with disabilities, including students with IEPs and students with Section 504 plans, can access RISE Academy to pursue an adult diploma.
3. Reporting Provision. By January 28, 2022, the District will submit a report to OCR about the trainings required by Sections I.C.1-2. of this Agreement.

II. GENERAL MONITORING PRINCIPLES

- A.** 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, 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 the District's satisfaction of the terms and obligations of this Agreement, OCR will close this case.
- B.** The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and the applicable statutes and regulations. Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60-calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the District's representative.

Signed:

/s/

Dr. Kristen McNeill
Superintendent
Washoe County School District

Date:

October 11, 2021
