

VOLUNTARY RESOLUTION AGREEMENT

Clover Park School District No. 400 (District) voluntarily agrees to take the following actions to resolve OCR Reference No. 10231118, filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794 and 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131-65 and 28 C.F.R. Part 35.

I. REMEDIAL PROVISIONS

A. Review and Revision of Policies, Procedures, and Practices

1. **Action Item:** The District will review and revise its policies, procedures, and practices (Revised Procedures) to ensure that they are consistent with the requirements of Section 504 and Title II regarding the provision of a free, appropriate public education to students with disabilities. Specifically, the Revised Procedures, with reference to medication or treatment orders, nursing plans, individual health care plans, and emergency health plans (collectively, Health Plans), will:
 - a. Reflect that the Revised Procedures are applicable to Health Plans when they are incorporated by reference into a student's Section 504 Plan or are otherwise necessary to provide a qualified student a free appropriate public education as required by the regulation implementing Section 504 at 34 C.F.R. § 104.33.
 - b. Require that placement decisions involving Health Plans are made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and the placement options, as required by the regulation implementing Section 504 at 34 C.F.R. § 104.35.
2. **Reporting Requirement:**
 - a. By **July 30, 2023**, of signing this Agreement, the District will provide OCR, for its review and approval, a draft of the Revised Procedures.
 - b. Within **30 days** of receiving OCR's written approval of the Revised Procedures, the District will provide OCR documentation verifying it has adopted and implemented the Revised Procedures.

B. Notice to Employees

1. **Action Item:** The District will provide written notice to all District employees, informing them of the Revised Procedures.

2. **Reporting Requirement:** Within **30 days** of providing documentation to OCR demonstrating the implementation of the Revised Procedures (Reporting Requirement A.2.b), the District will provide OCR with a copy of the District's notice to all employees, and information about the method and date of distribution.

C. Training of Employees

1. **Action Item:** The District will train XXXXXX School staff on the Revised Procedures, including, but not limited to, Nursing/Health staff, building-level administrators, 504/Title II coordinators, special education staff, and any other staff that oversee or participate in decisions about the referral, evaluation, and/or placement of students with disabilities under Section 504. The training will be presented by person(s) who are knowledgeable about the requirements of Section 504 and the Revised Procedures.
2. **Reporting Requirement:**
 - a. Within **60 days** of providing documentation to OCR demonstrating the implementation of the Revised Procedures, the District will provide OCR, for its review and approval, the District's proposed training materials, including information about the identity and qualifications of the proposed trainer(s) and the names and position titles of the individuals the District proposes to train.
 - b. Within **60 days** of receiving OCR's written approval of the training materials, the District will provide OCR documentation reflecting that the District conducted the approved training, including the time and date of the training(s), all materials used during the training(s), including lesson plans, handouts, or presentation slides, and, if different from that already provided, a list of persons trained and the name and qualifications of the trainer(s).

D. Individual Student

1. **Action Item:** The District will send a letter to the Student and her parents stating that the District is committed to complying with the requirements of Section 504 and Title II, that it is revising its Section 504 policies and procedures to ensure that they cover Health Plans, as applicable, and that it will conduct training of XXXXXX School staff on the revised policies and procedures once the revisions are complete. The letter will include the name and contact information of a District employee should the Student and/or her parents have any questions about the actions the District is taking as set forth in the letter.
2. **Reporting Requirement:**

- a. Within **30 days** of signing this Agreement, the District will provide OCR, for its review and approval, a draft letter.
- b. Within **30 days** of OCR's written approval of the letter, the District will provide OCR documentation demonstrating that it sent the letter to the Student and her parents, including the date of sending and the method of transmittal (e.g., mail, e-mail, etc.).

II. GENERAL MONITORING PRINCIPLES

- A. By signing this Agreement, the District agrees to provide OCR data and other information in a timely manner in accordance with the reporting requirements of this Agreement. 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.
- B. The District understands that OCR will not close the monitoring of this Agreement until such time as OCR determines that the District is in compliance with the terms of the Agreement and the statute(s) and regulation(s) at issue in the case.
- C. The District understands that OCR may initiate administrative enforcement or refer the case to the Department of Justice (DOJ) for judicial proceedings in the event of breach. 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 Superintendent or the Superintendent's designee below.

Signed:

Date:

/s/

June 30, 2023

Superintendent

Clover Park School District No. 400