

**RESOLUTION AGREEMENT**  
**Presidio School**  
**OCR Case Number 08-15-1255**

In order to resolve OCR case number 08-15-1255, filed against the Presidio School (School) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR), the School agrees to implement this Resolution Agreement. This case was initiated pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), and its implementing regulation at 34 C.F.R. part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), and its implementing regulation at 28 C.F.R. part 35.

The School's decision to enter into this Agreement is not an admission of liability or wrongdoing, nor shall it be construed as such.

1. The School will reimburse the Complainant up to 40 hours of tutoring or educational services. The School may require the Complainant to obtain approval from the School regarding the service provider prior to initiating services.

**REPORTING REQUIREMENT A:** Within 45 days of the date of this Agreement, the School will draft a letter to the Complainant for OCR's approval offering to reimburse the Complainant for up to 40 hours of tutoring or educational services to occur by December 31, 2016. In the letter, the School must state whether and how it will require the Complainant to obtain approval of the service provider, including deadlines for submission of the service provider and receipts for reimbursement.

**REPORTING REQUIREMENT B:** Within 30 days of OCR's approval of the letter, the School will provide documentation to OCR that it provided the Complainant with the letter and provide a copy of the Complainant's response.

**REPORTING REQUIREMENT C:** The School will provide OCR with copies of receipts submitted by the Complainant and copies of any reimbursement checks issued to the Complainant. The School will periodically provide these reports to OCR no later than June 30, 2016, and December 31, 2016.

2. The School will reimburse the Complainant for any and all evaluations she had performed during the 2014-15 school year.

**REPORTING REQUIREMENT A:** Within 45 days of the date of this Agreement, the School will draft a letter to the Complainant for OCR's approval offering to reimburse the Complainant for evaluations the Complainant had performed during the 2014-15 school year. In the letter the School may establish reasonable deadlines for submission of the receipts for reimbursement.

**REPORTING REQUIREMENT B:** Within 30 days of OCR's approval of the letter, the School will provide documentation to OCR that it provided the Complainant with the letter and provide a copy of the Complainant's response.

**REPORTING REQUIREMENT C:** In the event that the Complainant provides the School with the required documentation to secure reimbursement, the School will provide a report to OCR that includes copies of the Complainant's documentation, evidence of the School's payment, and any other related documentation. The School will provide this report to OCR within 30 days of reimbursement to the Complainant.

3. The School will revise policies and procedures for the identification and evaluation of students suspected of being a person with a disability, in accordance with the requirements of Section 504 and Title II.

**REPORTING REQUIREMENT A:** By February 15, 2016, the School will provide OCR with a copy of the proposed draft policy and procedure for OCR's review and approval.

**REPORTING REQUIREMENT B:** Within 60 days of OCR's approval of the School's policy and procedure, the School will provide documentation supporting that the OCR approved policy and procedure have been adopted and published, including in handbooks and on its website.

4. The School will develop a notice of non-discrimination and notice of compliance officer to address allegations of disability discrimination, in accordance with the requirements of Section 504 and Title II.

**REPORTING REQUIREMENT A:** By February 15, 2016, the School will provide OCR with a copy of the proposed draft notices and policy for OCR's review and approval.

**REPORTING REQUIREMENT B:** Within 60 days of OCR's approval of the School's notices and policy, the School will provide documentation supporting that the OCR approved notices and policy have been adopted.

5. The School will provide training on the policies in Paragraph 4 and 5 to all staff at the School (teachers, office staff, and administrators), regarding the identification and evaluation of students with disabilities, notice of non-discrimination, notice of compliance officer, and prohibition against retaliation when parents advocate for their student with disability.

**REPORTING REQUIREMENT A:** By February 15, 2016, the School will provide OCR its draft training materials; identify who will provide the training, by name and title; and provide a list of personnel required to participate in the training, by name and title and school.

**REPORTING REQUIREMENT B:** Within 60 days of OCR's approval of the training materials, the trainer, and who is to attend the training, the School will provide documentation demonstrating that the training was provided and a copy of the training sign-in sheets.

6. The School will provide notice to all parents, students, administrators and staff of the OCR approved notices, policies, and procedures discussed in Paragraph 4 and 5.

**REPORTING REQUIREMENT A:** Within 60 days of OCR's approval of the notices, policies, and procedures in Paragraph 4 and 5, the School will:

- provide OCR with a copy of all of the locations the notices and policy will be published. The School will provide notice of the OCR approved notices and policy, including website links demonstrating the procedure is available on the School's website.
- email all School parents, staff, and administrators copies or links of the approved notices and policy.

The School understands that OCR will not close the monitoring of this Agreement until OCR determines that the School has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, which were at issue in this case.

The School 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 shall give the School written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

The School understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the School understands that during the monitoring of the Agreement, if necessary, OCR may visit the School, interview School employees and students, and request such additional reports or data as are necessary for OCR to determine whether the School has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, which were at issue in this case.

For Presidio School:

\_\_\_\_\_/s/\_\_\_\_\_  
Tom Drexel  
Director  
Presidio School

11/23/2015  
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Date