

**Panama-Buena Vista Union School District
Resolution Agreement
OCR Case No. 09-15-1481**

To resolve the concerns identified by the U.S. Department of Education, Office for Civil Rights (OCR), in the above referenced complaint filed under Title VI of the Civil Rights Act of 1964 (Title VI), the Panama-Buena Vista School District (District), without admitting to any violation of law, agrees to implement the following provisions in this Resolution Agreement (Agreement):

I. Specific Requirements

1. Within 20 days after the execution of this agreement, the District will convene an individualized education program (IEP) or Section 504 plan meeting for the complainant's son (XX), unless XX's parents decline the meeting or request that it be held at a later date, in which case, the District will report that to OCR. The purpose of the meeting will be to review letters from the Student's physician dated XXXXX X, 2013, and XXX XX, 2013, and any other medical information provided by XX's parents and to consider XX's current needs as they concern his XXXXXXXX condition. The team will develop an IEP or Section 504 plan that addresses the following questions:
 - a. Whether, because of his XXXXXXXX disability, XX must be placed at XXXXXX XXXXXX Elementary School;
 - b. Whether, because of XX's XXXXXXXX disability, XXX XXXX XXXXXXXX must also be placed at XXXXXX XXXXXX Elementary School;
 - c. All other accommodations or related services needed by XX in order to address his XXXXXXXX disability and his participation in school activities.
2. If the IEP or Section 504 team determines that additional evaluation information is needed in order to reach the conclusions outlined in 1. above, it will conduct such evaluations and reconvene within 15 days after the start of the 2016/17 school year, to develop an IEP or Section 504 plan that addressed the listed questions.
3. The IEP or Section 504 plan will be fully implemented during the 2016-17 school year.
4. Reporting:

Within 15 days after the meeting described in 1. above, the District will provide OCR with a copy of the IEP or Section 504 plan developed at the meeting, or the determination of the additional evaluation needed. If additional evaluation is needed, the District will provide OCR with a copy of that evaluation, and of the IEP or Section 504

plan created at the second meeting, within 15 days after that meeting. If complainant chooses not to have a meeting, the District will have no further obligations hereunder.

II. General Provisions

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the District understands that during the monitoring of this Agreement, 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 and is in compliance with Section 504 and Title II and their implementing regulations, which were at issue in this case.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the statutes and regulations that were at issue in this case.

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 shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s/_____

Superintendent

_____5/31/2016_____

Date