

**Resolution Agreement
Sand Springs Public Schools
Docket # 07141061**

The Sand Springs Public Schools (District), Sand Springs, Oklahoma, submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve this complaint that was filed under Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 United States Code (U.S.C.) § 794, and its implementing regulation at 34 Code of Federal Regulations (C.F.R.), Part 104; and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, and its implementing regulation at 28 C.F.R. Part 35. The Agreement addresses the complainant's allegations that the District failed to implement her son's Section 504 Plan and retaliated against the complainant by attempting to intimidate her XXXXX XXXXX.

The District agrees to take the following actions:

1. Immediately upon the reenrollment of the complainant's son at any elementary school in the District, the District will take all steps necessary to ensure the full implementation of the provisions of the complainant's son's existing Section 504/Title II Plan (Section 504 Plan) XXXXX XXXXX XXXXX. The District will provide written notice to all administrators, teachers, and staff responsible for providing services to the complainant's son of the requirements of his Section 504 Plan and their obligation to fully comply with the provisions of his Section 504 Plan.

REPORTING REQUIREMENTS:

Within 10 calendar days of the complainant's son's reenrollment at any elementary school in the District, the District will notify OCR in writing of his reenrollment including the date of his reenrollment and the name of the school at which he is reenrolled. The District will provide OCR a list of all administrators, teachers, and staff responsible for providing services to him including their position and a brief description of the services each provides. The District will provide a copy of each notification sent to an administrator, teacher or staff member on the list.

2. If the complainant's son is reenrolled in the District, the District will convene a multidisciplinary Section 504 team as soon as possible but no later than within two weeks of his enrollment to review his existing 504 Plan, any new or additional information the complainant provides, and any other relevant information regarding the complainant's son's XXXXX and the necessary accommodations to ensure he can fully participate in all District programs and activities. If the 504 team modifies his Section 504 plan as a result of this meeting or at any time in the future, the District will continue to take all steps necessary to ensure the full implementation of the provisions of his new Section 504 Plan. The District will provide written notice to all administrators, teachers, and staff

responsible for providing services to him of the requirements of his new Section 504 Plan and their obligation to fully comply with the provisions of his Section 504 Plan.

REPORTING REQUIREMENT:

If the complainant's son reenrolls, the District will provide documentation of the 504 team meeting required by item 2, including a list showing the credentials and work location of all District consultants and employees and any other individuals who participated in the meeting in person or who provided information that was considered during the meeting, copies of documents considered by the team, notes from the meeting, and, if his 504 plan is modified, a list of all administrators, teachers, and staff responsible for providing services to him under the new Section 504 Plan including their position and a brief description of the services each provides. The District will provide a copy of each notification sent to an administrator, teacher or staff member on the list a copy of the revised plan.

If the complainant's son's 504 team modifies his Section 504 plan during the 2013-14 or 2014-15 school years, the District will provide the information listed above to OCR within 10 calendar days of the modification.

3. Within 15 calendar days of the complainant's son's reenrollment in school in the District, the District will develop and implement a recordkeeping procedure for documenting the District's implementation of his Section 504 Plan and notify all administrators, teachers, and staff responsible for providing services to him of their obligation to fully document the implementation of his Section 504 Plan. The District may consult with OCR for technical assistance when developing a recordkeeping procedure.

REPORTING REQUIREMENTS:

Within 15 calendar days of the complainant's son's reenrollment in school in the District, the District will provide OCR a copy of its recordkeeping procedure for documenting the District's implementation of his Section 504 Plan.

By June 30, 2014, the District will provide OCR documentation that it has fully implemented the complainant's son's Section 504 Plan commencing with his reenrollment in school in the District through the end of the second semester of the 2013-14 school year.

By January 31, 2015, the District will provide OCR documentation that it has fully implemented the complainant's son's Section 504 Plan throughout the first semester of the 2014-15 school year.

By June 30, 2015, the District will provide OCR documentation that it has fully implemented the complainant's son's Section 504 Plan throughout the second semester of the 2014-15 school year.

4. By April 15, 2014, the District will send a letter to XXXXX XXXXX XXXXX XXXXX XXXXX XXXXX XXXXX XXXXX XXXXX instructing him on the District's obligation to fully implement the Section 504 Plans of all eligible students at XXXXX, including the complainant's son. The letter will also instruct XXXXX XXXXX that Section 504 prohibits retaliation which includes intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Section 504 or because an individual has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing under Section 504. The letter will instruct XXXXX XXXXX that he may not retaliate in any way against the complainant and/or her son because they have exercised their rights under Section 504 or filed this complaint with OCR.

REPORTING REQUIREMENTS:

By April 30, 2014, the District will provide OCR a copy of the letter to XXXXX XXXXX XXXXX XXXXX and a statement signed by XXXXX XXXXX XXXXX XXXXX indicating he has received and understood the directives contained in the letter.

5. By August 31, 2014, the District will provide training to all District administrators, faculty and instructional staff regarding the requirements of Section 504, including the provision of a free appropriate public education to students with a disability under Section 504, the obligation to fully implement all provisions of a Section 504 plan, and the regulatory prohibition against retaliation. OCR can assist the District in providing this training.

REPORTING REQUIREMENTS:

By September 30, 2014, the District will provide OCR documentation that the training described in item 5 above has been completed for the 2014-15 school year, including, the date(s) of the training; the name, title, and qualifications of the trainer; a copy of any materials used in the training; and a sign in sheet with the name and title of training participants.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that it has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 at 34 C.F.R. §§ 104.33, and 104.61, which incorporates the anti-retaliation provision of the regulation implementing Title VI of the Civil Rights Act of 1962 at 34 C.F.R. § 100.7(e), and the regulation implementing Title II at 28 C.F.R. § 35.130, which were at issue in this case.

The District 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 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 and is in compliance with the regulation implementing Section 504 at 34 C.F.R. §§ 104.33, and 104.61, which incorporates the anti-retaliation provision of the regulation implementing Title VI of the Civil Rights Act of 1962 at 34 C.F.R. § 100.7(e), and the regulation implementing Title II at 28 C.F.R. § 35.130, which were at issue in this case.

The District understands and acknowledges that OCR may initiate administrative enforcement (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

For the District:

/s/Lloyd Snow

Name and Title

Date