

**RESOLUTION AGREEMENT**  
**Mason Public Schools**  
**OCR Docket #15-15-1217**

Mason Public Schools (the District) submits the following agreement to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the above-referenced complaint and to ensure compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131 *et seq.*, and its implementing regulation, 28 C.F.R. Part 35, and Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d *et seq.*, and its implementing regulation at 34 C.F.R. Part 100. In furtherance of this obligation, and while expressly denying any and all liability with respect to the allegations in the complaint, the District agrees to take the following actions:

1. By April 15, 2016, the District will convene a meeting of a group of persons knowledgeable about the Student and the Student's educational placement during the 2014-2015 school year (the Team), including the Student's parent(s) if they choose to participate, relevant teachers and any other relevant and/or required District staff. The District will invite the Student's parent(s) to participate in the Team meeting(s) described and, in the event that the Student's parent(s) is unable to attend, the District will provide the Student's parent(s) with a meaningful opportunity to provide input. The Team will take the following actions:
  - a. Determine if the Student did not receive, for any reason, appropriate one-on-one aide services, speech therapy services, or food and medication as required in the Student's IEP, during the 2014-2015 school year.
  - b. If the Team determines the Student did not receive the services listed in Item 1(a), determine what, if any, compensatory education or other remedial services the Student requires as a result of not receiving any of the services identified by the Team pursuant to Item 1(a).
  - c. Draft a written plan for providing the Student with any compensatory education or other remedial services deemed necessary pursuant to Item 1(a) above. The compensatory education plan will identify the nature and amount of the services, if any, to be provided at no cost to the Student's parent(s), by whom they will be provided, and when they will be provided. Because the Student is not currently enrolled in the District, the compensatory education plan should also identify where the services will be provided.
2. By April 15, 2016, the District will send notification to the Student's parent(s), in writing, of the Team's decisions regarding Item 1 above. The notification should include a detailed description of the outcome of the review, the nature and amount of compensatory education or remedial services to be provided, if any, including what services will be provided, where and how often the services will be provided, who will provide them and a notice that no cost will be incurred by the Student's parent(s). The District will also notify

the Student's parent(s), in writing, of the procedural safeguards afforded them under Section 504, including the right to challenge the determinations regarding compensatory education services through an impartial due process hearing. The notice will indicate that the Student's parent(s) have 20 calendar days from the date of receipt to inform the District of their acceptance of the District's offer of compensatory education or remedial services, if any.

**REPORTING REQUIREMENTS:** By April 15, 2016, the District will provide OCR with documentation to demonstrate its implementation of Item 1, including: (i) documentation showing when the Team met, who was present, what was discussed, the Team's decisions, and the bases for those decisions; (ii) copies of any meeting minutes; (iii) a copy of any plan developed for the Student; (iv) documentation of any input provided by the Student's parent(s) and showing that procedural safeguards were provided to the parent(s); (v) any other documentation relevant to the determinations reached in accordance with Item 1; and (vi) a copy of the notification sent to the Student's parent(s) pursuant to Item 2 and any response from the Student's parent(s). Should the District determine that no compensatory education or other remedial services are necessary, the District will provide a written explanation of the reasons for its determinations, along with any supporting documentation. OCR will review the documentation submitted to ensure that the District met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35, and 104.36, in making its determinations.

3. By June 15, 2016, the District will provide any compensatory and/or remedial services deemed necessary pursuant to Item 1.

**REPORTING REQUIREMENT:** By June 15, 2016, the District will provide documentation to OCR of the dates, times and locations that compensatory and/or remedial services were provided, if needed, a description of what was provided, and the name(s) of the service provider(s). If the Student's parent(s) did not accept the District's offer of compensatory education or remedial services, if any, pursuant to Item 2, the District will indicate so in its report to OCR and provide OCR with any documentation the District might have to demonstrate the parent(s) lack of acceptance.

4. By June 15, 2016, the District will provide training to staff and administrators at XXXXX Elementary School on Title VI. The training must address, but need not be limited to, the following:
  - a. the District's policies and procedures regarding discrimination on the basis of race, color, or national origin;
  - b. what constitutes discrimination under Title VI and its implementing regulation;
  - c. how to recognize the various forms of race, color or national origin discrimination prohibited by the Title VI implementing regulation at 34 C.F.R. § 100.3(b)(1)(i), (ii), (iv), and (v); and

