

RESOLUTION AGREEMENT

Evesham Township School District
Case No. 02-11-1072

In order to resolve the compliance concerns identified in Case No. 02-11-1072, the Evesham Township School District (the District) assures the U.S. Department of Education, New York Office for Civil Rights (OCR), that it will take the actions detailed below pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104 (Section 504); and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35.

Action Item 1:

By August 31, 2011, the District will send a letter to each parent/guardian of a District student in kindergarten through Grade 5, including the complainants, who have previously expressed interest in participating in the Evesham Child Care (ECC) program and were rejected or discouraged from enrolling because their disabled child was in need of aids and/or services in order to participate in the ECC program. The letter will explain that the District will provide any required aids and/or services for the child at no charge to the parent/guardian.

Reporting Requirement:

By August 31, 2011, the District will provide OCR with a copy of each letter sent pursuant to Action Item 1 above.

Action Item 2:

By September 15, 2011, the District will send a letter to each parent/guardian who paid for the provision of aids and/or services required for a disabled child to participate in the ECC program for school years 2009-2010 and 2010-2011, offering to reimburse the parent/guardian for the aids and/or services if proof of the expense(s) is provided.

Reporting Requirement:

By September 15, 2011, the District will provide OCR with a copy of each letter sent pursuant to Action Item 2 above.

Action Item 3:

Effective immediately, the District will revise its practices to ensure that children with disabilities who require aids and/or services in order to participate in the ECC program are not denied admission because they require these aids and/or services, and will not be charged for these aids and/or services.

Reporting Requirement:

By June 30, 2012, the District will provide OCR with a list of disabled children who applied for admission and who required aids and/or services in order to participate in the ECC program for school year 2011-2012. For each such student, the District will provide documentation demonstrating that the District covered the cost of the provision of any aid and/or service and did not require the parent/guardian to pay for the aid and/or service. The District will provide an explanation for any student who required an aid(s) and/or service(s) to participate in the ECC program and who was not admitted.

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.4(a) and (b), and 104.38, and the ADA, at 28 C.F.R. §§ 35.130(a), (b), and (f), which were at issue in this case. The District also 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 regulations implementing Section 504, at 34 C.F.R. §§ 104.4(a) and(b), and 104.38, and the ADA, at 28 C.F.R. §§ 35.130(a), (b), and (f), which were at issue in this case.

8/10/11

/s/

Date

John Scavelli, Jr.
Superintendent