

Resolution Agreement
Tantasqua Regional & Union 61 School Districts
OCR Complaint No. 01-14-1185

The Tantasqua Regional & Union 61 School Districts (District) voluntarily agree to take the following actions to resolve the allegations in the above-referenced complaint. OCR is resolving this complaint pursuant to its jurisdiction under Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 C.F.R. Part 104 (Section 504) and Title II of the Americans with Disabilities Act of 1990 and its implementing regulation at 28 C.F.R. Part 35 (Title II).

I. Action Steps

- a. By November 25, 2014, the District will submit for OCR's review and approval its existing policies and procedures concerning the identification, evaluation and placement of students who need or are believed to need special education or related services pursuant to Section 504 and Title II.
- b. If OCR requests the District to modify its policies and procedures to comport with Section 504 and Title II, then the District agrees to do so within 30 days of such a request.
- c. Within 30 days of OCR's final approval, the District will provide OCR with documentation that it has provided notice of these procedures to staff, parents, and students in print and online.
- d. By March 6, 2015, the District will provide training to staff on Section 504, Title II and the District's related policies and procedures.
- e. No later than two weeks before this training (i.e. February 13, 2015), the District will submit the trainer's contact information and training materials for OCR's approval.
- f. No later than two weeks after this training (i.e., March 13, 2015), the District will provide OCR with a copy of sign-in or attendance sheets from the training.
- g. By December 5, 2014, the District will provide OCR with a list of students on Section 504 plans for the 2014-2015 school year their relevant disabilities; and whether they were previously on a Section 504 plan in the District, newly referred, or transferred to the District.
- h. As part of OCR's monitoring of this case, OCR may use this list to access and review student files, including relevant documentation, evaluations, Section 504 plans, team meeting minutes, procedural safeguards, and correspondence, to ensure the policies and procedures that OCR approved, above, have been implemented. The District agrees to promptly make any such information available to OCR.

II. Monitoring

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the District has fulfilled its terms and is in compliance with the regulations implementing Section 504 and Title II 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 Section 504 and Title II, which was at issue in this complaint.

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 a minimum of sixty (60) calendar days to cure the alleged breach.

For the Tantasqua Regional & Union 61 School Districts:

/s/ Erin Nosek
Erin M. Nosek, Ed.D.
Superintendent

10/19/14
Date