

Resolution Agreement  
XXXXXXXXXXXX Charter School  
Complaint No. 01-15-1197

XXXXXXXXXXXX Charter School (School) voluntarily agrees to take the following steps to resolve the above-reference complaint, consistent with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II), which incorporates by reference 34 C.F.R. Section 100.7(e). This Agreement does not constitute an admission by the School of any violation of Section 504 or Title II. The School understands that OCR will not issue findings with regard to the allegations set forth in OCR Case Number 01-15-1197, except in the event that the School fails to comply with this Agreement.

**I. Student Specific Remedies**

- 1) By **February 1, 2016**, the School will provide OCR, for its review and approval, documentation including notes, e-mails, memos, meeting minutes, records of telephone calls, faxes, letters sent via USPS and conference notes that demonstrate that the School completed the following steps with regard to the Student (and other students as indicated):
  - a. The School will arrange a date and time with the yearbook vendor for each student not included in the XXXX-XXXX yearbook to take make-up photographs for inclusion on a supplemental sticker sheet.
  - b. The School will notify in writing the parents/guardians of each student not included in the 2014-2015 yearbook that the yearbook vendor is available to photograph the students on certain dates and times.
  - c. The School will distribute the sheet of make-up picture stickers, including the name and photograph of each student not included in the XXXX-XXXX yearbook, to each member of the School community who was a seventh grade, eighth grade or high school student during the 2014-15 school year and that received a copy of the XXXX-XXXX yearbook.

**II. School-wide Remedies**

- 1) By **January 1, 2016**, the School will provide OCR evidence of its notice to parents/guardians of students in the School about 2015-16 picture day via email, handouts to students in class, or any other equally effective method of dissemination. The notice will explain that if the student is absent or otherwise declines to have his/her picture taken on picture day and picture retake day, the School will not be able to include his/her headshot or name in the yearbook.

**II. Policies and Procedures**

- 1) By **February 1, 2016**, the School will submit OCR, for its review and approval, its anti-retaliation statement, consistent with the requirements of 34 C.F.R. Section 104.61 and 28 C.F.R. § 35.134.
- 2) **Within 30 days** of OCR's approval, the School will publish the approved policy on its website. Additionally, the School will notify in writing the parents/guardians of students in the School of the new policy via email, handouts to students in class, or any other equally effective method of dissemination. The School will provide OCR with electronic and/or hard copy evidence of such dissemination **no later than 60 days** from when OCR approves the revised procedures.

**III. Monitoring**

The School 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 regulations implementing Section 504 and Title II, which were at issue in this case. The School 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 School understands that during the monitoring of this agreement, if necessary, OCR may visit the School, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the School has fulfilled the terms of this agreement and is in compliance with the regulation implementing Section 504 and Title II, which were at issue in this case.

The School also 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 School written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

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Head of School

\_\_\_\_\_  
Date