

**RESOLUTION AGREEMENT**  
**Oxford Public Schools**  
**OCR Complaint No. 01-17-1232**

The Oxford Public Schools (District) has voluntarily entered into this agreement to resolve the allegations in the above-referenced complaint prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*. The District assures that it will take the following actions.

**Action Item 1**

By December 31, 2020, the District will provide Section 504 and Title II training to all Section 504 coordinators and case managers. The training will cover:

- a) the need for a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options, to determine whether support services specified in the District's Curriculum Accommodation Plan (DCAP) that are proposed for a qualified student with a disability are necessary to meet the Student's individual educational needs as adequately as the needs of students without disabilities are met, and if so,
  - i. the need for the group to carefully consider a variety of sources in developing the appropriate support service for the student, and
  - ii. the need to notify the student's parent or guardian of the Section 504 procedural safeguards relating to the imposition of the support service;
- b) the need to notify the parent or guardian of a qualified student with a disability whether a support service proposed for a student will be implemented pursuant to the student's IEP, Section 504 Plan, or the DCAP;
- c) the need to refrain from treating students with individuals less favorably than similarly situated individuals without disabilities without a legitimate, nondiscriminatory reason for the different treatment;
- d) the need for a group of persons who are knowledgeable about a qualified student with a disability, the meaning of the evaluation data, and the placement options to conduct a manifestation determination prior to excluding the student for more than 10 days for disciplinary reasons (including a series of short-term exclusions that add up to more than 10 days and create a pattern of exclusions), and the need to reevaluate the student to determine the appropriateness of the student's current educational placement and refrain from excluding the student for more than 10 days if the group determines that the student's disability caused the misconduct; and
- e) the need for teachers and other persons in a care giving capacity, in addition to parents and guardians, to refer students whom they suspect may be eligible for regular or special education and related aids and services under Section 504 and/or the Individuals with Disabilities Education Act for an evaluation to determine eligibility under those law(s).

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

### **Reporting Requirements**

1. By October 31, 2020, the District will provide, for OCR's review and approval, a copy of the training materials it will use, as well as the credentials of the trainer/presenter.
2. By January 15, 2021, the District will provide to OCR:
  - a. a list of the individuals who attended the training and their positions;
  - b. the date(s) the training was conducted; and
  - c. copies of any training materials disseminated.

### **Action Item 2**

If the Student enrolls in the District more than ten school days prior to the end of the 2020-2021 school year, then after providing proper written notice to the Student's parents/guardians, the District will convene an IEP/Section 504 team meeting. At the meeting, the District will:

- a. discuss the actions it has taken pursuant to Action Item 1;
- b. determine whether any additional remedies or services are appropriate at this time to provide the Student a free appropriate public education under Section 504;
- c. provide the Student's parents/guardians with a meaningful opportunity to offer input into these determinations, notice of the determinations made, and notice of the procedural safeguards available to them under 34 C.F.R. § 104.36; and
- d. maintain detailed minutes.

### **Reporting Requirement**

1. By June 30, 2021, the District will submit to OCR a copy of the following materials:
  - a. An assurance that the Student did not enroll in the District more than ten school days prior to the end of the 2020-2021 school year; or
  - b. The following materials:
    - i. a list of attendees that includes the names and titles of those at the meeting;
    - ii. meeting minutes;
    - iii. an explanation of the District's determination for Action Items 2(b) and schedule for providing any additional services or other remedies (if any) to the Student; and
    - iv. any other supporting team meeting materials that address the Action Items above.

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 the 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 and obligations of this Agreement. Upon the District's satisfaction of the commitments made under the Agreement, OCR will close the case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR shall give the Recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The Agreement will become effective immediately upon the signature of the District's representative below.

By: /s/ Kristine E. Nash Ed.D. Date: September 23, 2020  
Superintendent  
Oxford Public Schools