

## **RESOLUTION AGREEMENT**

### **Union-Endicott Central School District Case No. 02-13-1228**

In order to resolve Case No. 02-13-1228, the Union-Endicott Central School 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 (ADA), 42 U.S.C. § 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35.

#### **Action Item 1:**

By xxxxxxxx, 2014, the District will convene a meeting of a group of persons knowledgeable about the Student, such as the Committee on Special Education (CSE), to determine whether the Student requires remedial and/or compensatory services due to instruction missed for the period from xxxx xx, 2013, through the end of school year 2012-2013. If the group of knowledgeable persons determines that the Student requires remedial and/or compensatory services, the group will develop a plan for providing those services, with a completion date for providing the services not to extend beyond xxxx xxx, 2014.

#### **Reporting Requirements:**

- a. By xxxxxxxx xx, 2014, the District will submit to OCR a copy of the meeting minutes or similar documentation from the meeting referred to in Action Item 1 above; including an explanation for decisions made, and a description of and schedule for providing remedial and/or compensatory services to the Student if determined necessary.
- b. By xxxx xx, 2014, the District will provide documentation to OCR demonstrating that it has provided the Student with any remedial and/or compensatory services deemed necessary. The documentation should include the dates, time, and locations that services were provided, and the name(s) of the service provider(s).

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. §104.33, and the ADA, at 28 C.F.R. §35.130, 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. § 104.33, and the ADA, at 28 C.F.R. §35.130, which were at issue in this case. 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. §§1009, 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.

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Date

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Dr. Suzanne McLeod  
Superintendent  
Union-Endicott Central School District