

**RESOLUTION AGREEMENT**  
**Seaford Union Free School District**  
**Case No. 02-13-1375**

In order to resolve the allegations in Case No. 02-13-1375, the Seaford Union Free School District (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. This resolution has been entered into voluntarily by the District for the purpose of resolving a disputed claim and is not, and will not be construed as, an admission of liability, fault, or wrongdoing of any kind by the District.

**Action Item 1:**

By November 15, 2013, the District will provide the Student with bus transportation that is wheelchair accessible unless, and until such time as, the Student's 504 Team determines that the Student no longer requires the use of a wheelchair in order to participate in the District's program due to disability.

**Reporting Requirements:**

By November 15, 2013, the District will submit to OCR documentation reflecting that it has provided the Student with wheelchair accessible bus transportation, or in the alternative, that the Student's 504 Team has determined that the Student no longer requires the use of a wheelchair due to disability.

**Action Item 2:**

By December 1, 2013, the District will convene a meeting of a group of persons knowledgeable about the student identified in this complaint. The group of knowledgeable persons will determine whether the Student continues to require the use of a wheelchair in order to participate in the District's program as effectively as his non-disabled peers. The District will provide the Student's parents/guardians with advanced written notice of the meeting(s). The District will also provide the complainant with notice of her procedural safeguards.

**Reporting Requirements:**

By December 1, 2013, the District will submit to OCR a copy of the meeting minutes or similar documentation from the meeting(s) referred to in the Action Item above, which reflect the Team's determination.

**Action Item 3:**

By January 15, 2014, the District will provide training to all staff and administrators responsible for the development of Section 504 Plans on the requirements pertaining to accessible transportation for students with disabilities under Section 504 of the Rehabilitation Act.

**Reporting Requirements:**

By January 15, 2014, the District will provide documentation to OCR demonstrating that the District provided training as described in Action Item 3 above. This documentation will include: (a) the date(s) the training was conducted; (b) the name(s), title(s), and credentials of the individual(s) who conducted the training; (c) a list of the individuals who attended the training and their positions and proof of their attendance; and (d) copies of all training materials used and disseminated, including handouts, guides, or other materials.

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 104.37, 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 104.37, 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. §§ 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.

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Date

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Superintendent, Seaford Unified Public School District