

Resolution Agreement

OCR Case No. 03131142
Chambersburg Area School District

To resolve the allegations in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), the Chambersburg Area School District (the District) voluntarily enters into this Resolution Agreement (Agreement). This Agreement does not constitute an admission of liability on the part of the District, nor does it constitute a determination by OCR that the District violated any of the regulations enforced by OCR.

Action Steps

1. The District recognizes its obligations under Section 504 and its implementing regulation, at 34 C.F.R. § 104.33, to provide a free appropriate public education (FAPE) to each qualified individual with a disability within its jurisdiction and to promptly evaluate and place students with disabilities in accordance with 34 C.F.R. § 104.35. The District also recognizes its obligation, under Section 504, to ensure that no person, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise discriminated against in any program or activity. By December 15, 2013, the District will distribute a memorandum to all of its staff members and administrators at XXXXXXXXXXXXX XXXX XXXX School reminding them of these obligations.

2. By December 15, 2013, in accordance with the requirements of 34 C.F.R. § 104.35 (evaluation and placement), the District will convene a multidisciplinary team meeting regarding the Student. The Complainant will be invited to participate in the team meeting and will be notified of the applicable procedural safeguards, in accordance with 34 C.F.R. § 104.36. The purpose of this meeting will be to determine whether the Student suffered any educational loss during the 2012-2013 school year due to non-implementation of the following elements in his Individualized Education Program (IEP):

X---paragraph redacted---X

Reporting Requirements

3. By December 31, 2013, the District will provide a copy of the memorandum required by item 1 and a list of individuals, by name and title, who received it.
4. By December 31, 2013, the District will provide OCR with the results of the steps taken pursuant to item 2, including: meeting minutes; copies of any information/documents considered during the meeting; a copy of the written notice of the outcome of the meetings provided to the Complainant; including procedural safeguards; and, the Complainant's response, if any, to the District's offer.

The District agrees to comply with the terms of this Agreement until OCR has released it from monitoring. The District understands that OCR will not close the monitoring until it determines that the District has fulfilled the terms of this Agreement and is in compliance with the provisions of Section 504 and Title II, which are applicable to this complaint.

The District agrees that by signing this Agreement, it agrees to provide data and other information to OCR in a timely manner. The District also understands that during the monitoring of this Agreement, 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 the provisions of Section 504, and Title II that are applicable to 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 and 100.10) or judicial proceeding 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.

/s/

11/22/2013

Superintendent (or designee)

Date