

RESOLUTION AGREEMENT

OCR Complaint #03141226 – Altoona Area School District

Altoona Area School District (the District) agrees to implement the following steps and to report the results of implementation to the U.S. Department of Education, Office for Civil Rights (OCR). This Agreement does not constitute an admission of liability on the part of the District, nor does it constitute a determination by OCR of any violation of our regulations by the District.

1. The District recognizes its obligation under Section 504 regulation at 34.C.F.R. § 104.36 which states that a recipient that operates a public elementary or secondary education program shall establish and implement with respect to actions regarding identification, evaluation, or educational placement ... a system of procedural safeguards that includes notice, an opportunity for the parents or guardian of the person to examine relevant records, an impartial hearing with the opportunity for participation by the person's parents or guardian and representation by counsel and a review process. By January 9, 2015, the District will distribute written notification of this obligation to all its staff members and administrators who are responsible for convening Section 504 Plan or Individualized Education Program meetings, and provide a copy of the procedural safeguards notice to the Complainant.

REPORTING REQUIREMENT: By January 30, 2015, the District will provide OCR with a copy of the procedural safeguards notice to the Complainant, the memorandum, a list (name and title) of the administrators, faculty, and staff who received the memorandum, and the method by which the memorandum was disseminated.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the District 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 is in compliance with the regulation implementing Section 504 at 34 C.F.R. § 104.36, which was at issue in this complaint.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 at 34 C.F.R. § 104.36, which was at issue in 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, 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.

_____/s/_____
Superintendent or Designee
Altoona School District

_____/12/11/14_____
Date