

**Resolution Agreement  
Colonial School District  
OCR Docket Number 03151229**

In order to resolve the allegations in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act of 1990 (Title II) and their implementing regulations, at 34 C.F.R. part, Colonial School District (the District) commits to implement the provisions set forth in this Resolution Agreement (Agreement).

**ACTION STEPS**

1. By May 1, 2016, in consultation with OCR, the District will revise its grievance procedures to ensure that they incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints alleging any prohibited actions under Section 504, in accordance with 34 C.F.R. § 104.7(b). The District's Section 504 grievance procedures will contain the following elements:
  - a. notice to students, parents, and employees of the procedure, including how and where to file a complaint;
  - b. application of the procedure to complaints alleging disability discrimination carried out by students, employees, or third parties;
  - c. adequate, reliable, and impartial investigation, including the opportunity to present witnesses and other evidence;
  - d. designated and reasonably prompt timeframes for the major stages of the complaint process;
  - e. notice to the parties of the outcome of the complaint, and the basis for the decision; and
  - f. an assurance that the District will take steps to prevent the recurrence of any prohibited actions and to correct its discriminatory effects on the complainant and others, if appropriate.
2. By May 1, 2016, the District will distribute a written memorandum to all District sites, reminding staff of the requirements of Section 504 and Title II. The memorandum will also address the District's revised procedures detailed in Action Step #1 above.
3. By May 1, 2016, the District will provide training to all District staff reminding them of the requirements of Section 504 and Title II. The training will also address the District's revised procedures detailed in Action Step #1 above.

**REPORTING REQUIREMENTS**

1. By May 15, 2016, the District will provide OCR with a copy of its proposed Section 504 grievance procedures which are in accordance with Action Step #1 above.

2. Within 45 calendar days after OCR's approval of the Section 504 grievance procedures, the District will provide OCR with documentation that it has implemented the procedures, including copies of the written notices issued to students and employees regarding the new Section 504 procedures and a description of how the notices were distributed; copies of its revised student and employee handbooks and any other publications where these procedures are published; and a link to its webpage where the revised Section 504 procedures are located.
3. By July 15, 2016, the District will provide OCR with documentation demonstrating its compliance with Action Step # 2, above, including a copy of the memorandum.
4. By July 15, 2016, the District will provide OCR with documentation demonstrating its compliance with Action Step # 3, above, including the sign-in sheets from the training, and materials distributed at the training and a description of the substantive material covered during the training.

The District agrees to comply with the terms of this Agreement until OCR has released it from monitoring. 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 regulation implementing Section 504, at 34 C.F.R. § 104.7(b), and the regulation implementing Title II, at 28 C.F.R. § 35.107(b), which were at issue in the case.

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 this Agreement. 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 complied with the terms of this Agreement and is in compliance with the regulation implementing Section 504, at 34 C.F.R. § 104.7(b), and the regulation implementing Title II, at 28 C.F.R. § 35.107(b), which were at issue in the 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.

\_\_\_\_\_/s/\_\_\_\_\_  
Superintendent/Designee  
Colonial School District

\_\_\_\_\_/2/8/16\_\_\_\_\_  
Date