

**Grove City School District
Resolution Agreement
Compliance Review No. 03-15-5001**

The Grove City School District (the District) voluntarily enters into this Resolution Agreement (Agreement) with the U.S. Department of Education, Office for Civil Rights (OCR) to resolve the above-referenced compliance review and to ensure compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act (Title II). 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. This agreement addresses the provision of educational services to students with disabilities at the George Junior Republic School (the School).

I. Development of Procedures for Documenting Special Education Identification, Evaluation and Placement Decisions

1. The District will draft procedures ensuring that all significant actions and decisions regarding the identification, evaluation and placement of students with disabilities are recorded in the student's special education file. The procedures will identify:
 - a. appropriate timeframes for when each decision and action will be made, where appropriate;
 - b. appropriate timeframes for when the items in 1.a. will be recorded in the student's special education file; and
 - c. the individual(s) responsible for maintaining the contents of the student's special education file and recording items in 1.b.

2. At a minimum, the procedures will require documentation of the following:
 - a. all communication with the student's previous placement for collecting pertinent records;
 - b. all communication with parents/guardians/representatives, both written and oral, regarding the student's identification, evaluation, placement and any subsequent actions related to the student's educational program and notifications of procedural safeguards;
 - c. all requests and responses to parent/guardians/representatives seeking permission to evaluate/reevaluate;
 - d. all invitations to placement meetings;
 - e. all invitations to IEP meetings;
 - f. finalized IEPs are sent to parents/guardians/representatives;
 - g. changes/modifications to IEPs that are made without a meeting and agreed to by the parent/guardian/representative;
 - h. requests by parents/guardians/representatives for accommodations of disabilities to participate in any meetings have been appropriately addressed under 34 C.F.R. §§104.4(b)(1)(i),(ii),(iii),(iv),(vii), 104.4(2) and 28 C.F.R. §§35.160, §35.161, § 35.164; and

- i. a placement decision, such as placement in the Special Needs Program, that has been made by a non-District entity (e.g., juvenile court).
3. Reporting Requirements:
- a. By February 15, 2017, the District will submit to OCR for its review and approval the Procedures developed under this Section.
 - b. Within 30 days of OCR's approval of the Procedures, the District will provide OCR with documentation showing that all staff responsible for implementing the Procedures have been notified of their responsibilities and provided a copy of the approved Procedures. This report will include the names and titles of all responsible staff who have been notified and the information used to notify this staff.
 - c. By June 29, 2018, OCR will conduct a file review at the School to determine implementation of the Procedures. For this review, OCR will review a sample of files for students that will be enrolled for at least six months.

II. Access for Students with Disabilities to Non-Academic Programs

1. Equal Access: The District will permit students in the Special Needs Program and receiving educational services in the therapeutic units to participate in the School's non-academic programs, specifically the vocational educational and driver's education programs, insofar as the student is eligible to participate by meeting the essential requirements of the programs.
2. Development of essential requirements: The District will develop essential requirements for participation in the vocational educational and driver's education program. These requirements will not prohibit participation based on whether a student has a disability, is placed in the Special Needs Program or is receiving instruction in a therapeutic unit.
3. Intake Process: The District will notify all students at intake, regardless of their placement in the Program or in a therapeutic unit, about the availability of the vocational education program and driver's education program.
4. Individual determinations: For students with disabilities the District believes may not be eligible for the vocational education and/or driver's education program, the District will make an individual determination of the student's eligibility based upon the essential requirements developed in #2 above. The determination will be made by a group of individuals knowledgeable about the student, the evaluation data, and the essential requirements of each program, and in compliance with the provisions of Section 504 at 34 C.F.R. §§104.34, 104.35, and 104.36. Documentation of the determination will be maintained in the student's cumulative file. The District will develop appropriate procedures to implement this provision, including the identification of staff that will make these determinations and the timeframes for when the determinations will be made.

5. Court orders: For students with disabilities specifically prohibited from participating in vocational education and/or driver's education by court order or by order of some other appropriate authority, the District will include this documentation in the student's cumulative file.
6. Remediation: For students currently in the Special Needs Program who were previously barred from participating in these programs, the District will conduct individualized assessments of their eligibility for participation in these programs and following that determination, it will notify them of their eligibility, consistent with the requirements of this section.
7. Reporting Requirements: To demonstrate implementation of these steps, the District will provide the following:
 - a. By February 15, 2017, the District will provide to OCR, for its review and approval, the essential requirements for the vocational educational and driver's education programs.
 - b. By February 15, 2017, the District will provide to OCR, for its review and approval, the procedures for implementing II.4. of this Agreement.
 - c. By August 15, 2017, the District will provide OCR a copy of a notice to all District staff at the School announcing that all students are eligible for the vocational education and driver's education programs, provided that they meet the essential requirements of the programs.
 - d. By August 15, 2017, the District will provide OCR documentation showing that it has notified intake staff that they must inform all students about the availability of the vocational education and driver's education programs.
 - e. By June 15, 2018, June 15, 2019 and June 15, 2020, the District will provide a list of students that have been specifically prohibited from participating in either vocational education or driver's education according to the provisions of II.5. of this Agreement. The District will include a copy of relevant documentation regarding each student, to include the results of its individualized determinations regarding each student's eligibility to participate in either programs.
 - f. By February 15, 2017, the District provide OCR a list of students that for the 2015-2016 school year were barred from participation in the vocational educational and driver's education programs.
 - g. For each student identified in II.7.f. above and still enrolled in the School upon the execution of this Agreement, by August 15, 2017 the District will provide OCR a report noting whether the student chose to participate in the vocational education or driver's education programs. For each student that does not participate in these programs, the District will identify the reason(s).

III. Access for Students with Disabilities to Music and Science Lab Access

1. Equal Access: The District will permit students in the Special Needs Program and receiving education services in the therapeutic units to use the music and science labs in the Academic Center or, if more appropriate, provide access to an equivalent music lab and science lab in another part of the campus to the same extent that students in the General Residential Program have access to the music and science labs.
2. Development of a Plan. The District will develop a plan to provide equal access to the music and science labs for students in the Special Needs Program. The District may choose to provide access to both the labs in the Academic Center and in other locations at the School based upon the needs of the students in the therapeutic units.
3. Reporting Requirements. By August 15, 2017, the District submit to OCR for its review and approval a copy of its plan to provide equal access to the music and science lab for students in the Special Needs Programs as required by III.2.
 - a. If the District chooses to provide access to the labs located in the Academic Center, the District will provide OCR documentation demonstrating that this is occurring, such as schedules, syllabi for science courses offered in the therapeutic units indicating lab work in the Academic Center, announcements to therapeutic unit students about the opportunity to use the music lab, etc.
 - b. If the District chooses to provide access to equivalent labs in another location, the District will provide documentation describing in detail how these labs are equivalent to the labs in the Academic Center including any new facilities and equipment, as through photographs, purchase orders, etc.

IV. General Requirements

1. The District understands that by signing the Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that, during the monitoring of the 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 the Agreement and is in compliance with the statute(s) and regulations implementing Section 504, at 34 C.F.R. §§104.4, 104.33, 104.35, 104.36, 104.37, and Title II, at 28 C.F.R. §§35.160, 35.161, and 35.164, that were at issue in this case.
2. The District understands that OCR will not close the monitoring of the Agreement until such time that OCR determines that the District has fulfilled the terms of the Agreement and is in compliance with the statute(s) and regulations Section 504, at 34 C.F.R. §§104.4, 104.33, 104.35, 104.36, 104.37, and Title II, at 28 C.F.R. §§35.160, 35.161, and 35.164 that were at issue in this case.

3. The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings, including to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings, including to enforce the Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/

10/19/2016

Superintendent
Grove City School District

Date