

**Resolution Agreement  
OCR Complaint # 03181045  
Delaware County Intermediate Unit #25**

In order to resolve the allegation in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), pursuant to Title VI of the Civil Rights Act of 1964, 34 C.F.R. Part 100, the Delaware County Intermediate Unit #25 (the Intermediate Unit) enters into this Resolution Agreement (Agreement) and commits to implement the provisions set forth in this Agreement in order to resolve this complaint:

1. The Intermediate Unit acknowledges that, pursuant to the regulation implementing Title VI at 34 C.F.R. § 100.7(e), it may not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the laws OCR enforces, or because he or she has made a complaint, testified, assisted, or participated in any manner in an investigation or other matter in connection with a complaint. The Intermediate Unit recognizes that retaliation (any adverse action, including, but not limited to, coercion, threats or intimidation) against an individual who has engaged in a protected activity or participated in the resolution process of complaints alleging discrimination in violation of statutes and regulations enforced by OCR, is prohibited under these regulations.
2. By May 15, 2018, the Intermediate Unit will distribute a memorandum (this memorandum can be sent electronically) to all District staff reminding them of the above obligations under Title VI, and quoting the language as set forth above. In addition the memorandum will also state that since retaliatory conduct is prohibited by law, effective action, including disciplinary action where appropriate, will be taken against staff found to engage in such conduct.

**Reporting Requirement:**

By June 1, 2018, the Intermediate Unit will provide OCR with documentation demonstrating that it distributed the memorandum referenced in Action Step #2 above, including the list of personnel, with name and title, who received the memorandum as well as the Intermediate Unit's method of distribution.

3. By no later than June 1, 2018, the Intermediate Unit will provide training to District staff on regulatory issues arising under Title VI at 34 C.F.R. § 100.7(e) as cited in Action Step #1.

**Reporting Requirement:**

Within two weeks of the training outlined in Action Step #3, above, the Intermediate Unit will submit to OCR documentation that it has delivered the above-referenced training, including a list of invitees and attendees, including titles; date(s) of training; and a description of the delivered training content.

The Intermediate Unit 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 Intermediate Unit understands that during the monitoring of this Agreement, OCR may visit the Intermediate Unit, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Intermediate Unit

has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 and Title II, which was at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

The Intermediate Unit 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 Intermediate Unit written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/

4/4/2018

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Representing the Delaware County Intermediate Unit #25

\_\_\_\_\_  
Date