

**Resolution Agreement
Norwin School District
OCR Docket Number 03181337**

The U.S. Department of Education, Office for Civil Rights (OCR) and the Norwin School District (District) enter into this Resolution Agreement (Agreement) to resolve the issues in this above-referenced complaint. This Agreement does not constitute an admission of liability, nor does it constitute a finding of non-compliance or wrongdoing on the part of the District. The District assures OCR that it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504) and its implementing regulation at 34 C.F.R. Part 104 and Title II of the Americans with Disabilities Act of 1990 (Title II) and its implementing regulation at 28 C.F.R. Part 35. The District is a recipient of Federal financial assistance and is therefore subject to the requirements of these laws.

Prior to the completion of OCR's investigation, the District agreed to resolve the issue of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve the issues of this investigation, the District agrees to take the following actions:

Section 504 Plan

1. The District recognizes its obligation under the regulation implementing Section 504 at 34 C.F.R. § 104.33 to provide a free appropriate public education (FAPE), including the development and implementation of Section 504 plans, to each qualified student with a disability in its jurisdiction and to promptly evaluate and place students with disabilities in accordance with 34 C.F.R. § 104.35.

By January 31, 2019, the District will disseminate a memorandum (this memorandum can be sent electronically) to all staff and administrators at XXXXXX (the School), reminding them of their obligations under Section 504 to provide a FAPE, including the development and implementation of Section 504 plans, to each qualified student with a disability in its jurisdiction and to promptly evaluate and place students with disabilities.

Reporting Requirement:

By February 1, 2019, the District will submit to OCR documentation demonstrating that it distributed the memorandum referenced in #1 above, including the list of personnel, with name and title, who received the memorandum and the District's method of distribution for OCR's review and approval.

The District understands that by signing this Agreement, it agrees to provide the foregoing 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, if necessary, 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 regulations implementing Section 504 at 34 C.F.R. §§ 104.4 and Title II at 28 C.F.R. § 35.130, which were at issue in this complaint. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this 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 sixty (60) calendar days to cure the alleged breach.

/s/

1/2/2019

Superintendent/Designee
Norwin School District

Date