

**Resolution Agreement
Penn Harris Madison School Corporation
Case Number 05-17-1346**

The Penn Harris Madison School Corporation (Corporation) submits the following resolution agreement ("Agreement") to the U.S. Department of Education, Office for Civil Rights ("OCR") in resolution of OCR complaint #05-16-1394. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the Corporation. The Corporation assures OCR that it will take the following actions to comply with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation, at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 - 12134, and its implementing regulation, at 28 C.F.R. Part 35.

- 1.) If the student who was the subject of this complaint (Student A) reenrolls in the Corporation in the 2017-2018 school year, the Corporation will offer Student A's parent an evaluation under Section 504 to determine if Student A is a student with a disability in need of special education or related services. If the parent accepts the offer, the Corporation will conduct an evaluation and make a placement decision in accordance with the requirements of Section 504. If the Corporation determines following the evaluation that Student A is not a student with a disability under Section 504, it will notify the parent of the reason(s) for this decision and of the Corporation's system of procedural safeguards. If the Corporation determines following the evaluation that Student A is a student with a disability in need of special education or related services, it will develop an educational plan to provide Student A the services required and also will consider and document if any compensatory services are necessary or appropriate.

REPORTING REQUIREMENTS: By June 29, 2018, the Corporation will provide OCR with documentation it has implemented this item in full.

- 2.) By September 30, 2018, the Corporation will provide training on Section 504, including requirements related to evaluation, eligibility determinations, and procedural safeguards, to all Corporation administrators and relevant faculty and staff.

REPORTING REQUIREMENTS: By September 30, 2018, the Corporation will provide documentation it has implemented this item, including a copy of all training materials and a list of individuals who attended the training.

The Corporation understands that by signing this Agreement, it agrees to provide the foregoing information in a timely manner. Further, the Corporation understands that, during the monitoring of this Agreement, OCR may visit the Corporation, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Corporation has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.33 – 104.36, and Title II, at 28 C.F.R. § 35.130. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

The Corporation 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 Corporation written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the Corporation's representative below.

Superintendent or designee

Date