



RESOLUTION AGREEMENT

Saint James Parish School Board

OCR Case Number: 06-17-1267

A. GENERAL TERMS & PRINCIPLES:

The Saint James Parish School Board (District or recipient) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. By this Agreement, the District commits to the following actions, consistent with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulations 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 *et seq.*, and its implementing regulations at 28 C.F.R. Part 35, to resolve the compliance concerns raised by the complainant's allegations.

The recipient understands that by signing the Agreement, it agrees to provide data and other information in a timely manner. Further, the recipient understands that, during the monitoring of the Agreement, OCR may visit the recipient, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the recipient has fulfilled the terms of the Agreement and is in compliance with the statute(s) and regulations that were at issue in this case.

The recipient understands that OCR will not close the monitoring of the Agreement until such time that OCR determines that the recipient has fulfilled the terms of the Agreement and is in compliance with the statute(s) and regulations that were at issue in this case.

The recipient understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings 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 to enforce the Agreement, OCR shall give the recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This Agreement does not constitute an admission by the District that it discriminated or otherwise engaged in any wrongdoing. The District hereby voluntarily commits to these General Terms and Principles, and to the following Action Items and Reporting Requirements.

B. ACTION ITEMS & REPORTING REQUIREMENTS:

Action Item 1

By April 21, 2017 the District will conduct an individualized evaluation of the Student and determine the appropriate educational placement for him consistent with the procedures listed in the regulation implementing Section 504 at 34 C.F.R. §§ 104.34 and 104.35, and in accordance with the provision of a free appropriate public education (FAPE). The District will ensure that the placement decision is made by a group of persons knowledgeable about the Student and the Student's disability, the meaning of the evaluation data, and the placement options. If the Section 504 committee determines that the Student is a qualified individual with a disability,

then the committee will convene and determine what regular or special education and related aids and services are appropriate to meet the Student’s individual educational needs as adequately as the needs of non-disabled persons are met. The District will set forth the regular or special education and related aids and services in a written Section 504 Plan or written Individualized Education Program (IEP), and commence providing the services outlined in the Section 504 Plan or IEP immediately.

Reporting Requirements: Action Item 1

By May 12, 2017, the District will submit to OCR, for its review and approval, documentation that evidences its completion of a comprehensive Section 504 evaluation of the Student and the District’s decision regarding the Student’s eligibility for services pursuant to Section 504. This report shall include, at a minimum:

- Meeting minutes;
- A list of the persons present at the meeting, and a statement of each person’s knowledge regarding the Student, the meaning of the evaluation data and the placement options;
- A copy of the Section 504 Plan or IEP prepared for the Student, or if it is determined the Student is not eligible for services, documentation evidencing the evaluation and determinations made by the Section 504 committee; and
- Documentation that notice of procedural safeguards was provided to the Student’s parent.

C. EXECUTION:

On behalf of the Saint James Parish School Board, I hereby agree to and voluntarily submit this Resolution Agreement to the U.S. Department of Education, Office for Civil Rights, Dallas Enforcement Office, and commit to the general terms, principles, action items, and reporting requirements contained herein.

/s/ _____
[Print name/ title of authorized official]
Saint James Parish School Board

Date