

Resolution Agreement
Huron School District #02-2
OCR Case Number: 07-17-1122

The Huron School District #02-2 (District), Huron, South Dakota, submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve this complaint. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by 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), as amended, 29 United States Code (U.S.C.) § 794, and its implementing regulation, 34 Code of Federal Regulations (C.F.R.) Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, and its implementing regulation, 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

Before OCR completed its investigation, the District agreed to resolve the issues 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:

The District will provide training for all building administrators, school nurses, school counselors, and instructional staff on the requirements of Section 504, including, but not limited to, the District's responsibility to provide a free appropriate public education to qualified students with a disability and the District's obligation to provide qualified students with a disability an equal opportunity to participate in all nonacademic and extracurricular activities, including its interscholastic athletics program. The District may request OCR to provide the required training. If an entity other than OCR conducts the training, prior to conducting the training, the District will submit to OCR a copy of all materials to be used in the training, including handouts and Power Point presentations, for review and approval.

Reporting Requirement: By _____, 2017, the District will provide OCR documentation of the training including the date(s) and time(s) of the training; the name(s) and title(s) of the trainer(s); and a sign in sheet showing the training participants by name and position. If OCR conducts the training, no documentation of the training will be required from the District.

The District 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 and that all actions taken to comply with the requirements of the Agreement are subject to OCR's review and approval. 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 regulation implementing Section 504 at 34 C.F.R. § 104.21, § 104.22, and § 104.23 and the regulation implementing Title II at 28 C.F.R. § 35.149, § 35.150, and § 35.151, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close 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.

Superintendent

Date