

**RESOLUTION AGREEMENT**  
**ASTECSchools**  
**OCR Complaint No. 07171170**

To resolve OCR Complaint No. 07171170, the Advanced Science and Technology Education Charter (ASTECSchools), Oklahoma City, Oklahoma, assures the U.S. Department of Education, Office for Civil Rights (OCR), it will take the actions detailed below pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, its implementing regulation at 34 C.F.R. Part 104, Title II of the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35.

ASTECSchools voluntarily agreed to resolve this complaint prior to the conclusion of OCR's investigation. This Resolution Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the school district.

**I. Individual Remedy**

\_\_\_\_\_, ASTECSchools' superintendent or designee will send correspondence to the Complainant advising that if the Complainant reenrolls her XXX as a student at ASTECSchools at any point in the future, then ASTECSchools, upon consent from the Complainant, will evaluate the Complainant's son to identify any disabilities, and, if necessary, develop a plan to meet XXX educational needs consistent with the requirements of Section 504. The correspondence to the Complainant may be accomplished via email or U.S. Postal Service.

**REPORTING REQUIREMENT:**

\_\_\_\_\_, ASTECSchools will provide OCR documentation indicating completion of the requirements. Documentation acceptable to OCR include a copy of the correspondence sent by the school district to the Complainant showing the date and time the correspondence was sent, if sent by email, or a receipt or other evidence of the date the correspondence was mailed if it was sent by U.S. Postal Service.

**II. Procedures**

\_\_\_\_\_, ASTECSchools will review and, if necessary, revise its placement procedures to ensure that students with disabilities are evaluated before ASTECSchools takes any action with respect to the initial placement of students in regular or special education consistent with the procedural requirements of Section 504, 34 C.F.R. §§104.31-104.36.

**REPORTING REQUIREMENT:**

\_\_\_\_\_, the District will provide documentation to OCR demonstrating that the District has placement procedures in place to comply with

Section II of the Agreement. The documentation shall include copies of the policies and procedures and evidence of adoption and publication.

**III. Guidance to Staff**

\_\_\_\_\_, ASTEC Schools will issue a written guidance memorandum to school district administrators who have responsibilities related to ensuring the provision of a free appropriate public education to students with disabilities under Section 504, including the director of special education, school administrators and staff at the elementary, middle, and high schools, special education and general education teachers, and counselors. The written guidance will include the following:

- a. ASTEC Schools’ process and procedures for identifying and locating students who need or are believed to need special education or related services under Section 504;
- b. ASTEC Schools’ responsibility to promptly conduct an evaluation of a student under Section 504 if it suspects or has reason to suspect that the student needs or may need special education or related services because of a disability, even if the school has not received a copy of the student’s medical diagnosis;
- c. The academic and behavioral indicators for determining when such an evaluation is needed, although academic success should not be a determining factor;
- d. Examples of disabilities, including circumstances where evaluation may be needed; and
- e. The role of the Section 504 Coordinator.

**REPORTING REQUIREMENT:**

\_\_\_\_\_, ASTEC Schools will issue the written guidance memorandum to school district administrators and staff and will provide to OCR documentation demonstrating the written memorandum has been distributed, as required in Section III of the Agreement.

ASTEC Schools understands that by signing this Resolution Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Resolution Agreement. Upon the school district’s satisfaction of the commitments made under the Resolution Agreement, OCR will close this case.

ASTEC Schools understands and acknowledges OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Resolution Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give ASTEC Schools written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

\_\_\_\_\_  
Date

\_\_\_\_\_  
XXXXXX XXXXXX, XXXXXXXXXXXXXXXX