

Resolution Agreement
Francis Howell R-III School District
OCR Case No. 07-18-1288

The U. S. Department of Education, Office for Civil Rights (OCR) and Francis Howell R-III School District (District), St. Charles, Missouri, enter into this Resolution Agreement (Agreement) to resolve the allegations in the above-referenced 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, 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, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35.

The District agreed to resolve these issues pursuant to Section 110 of OCR's *Case Processing Manual*.¹ To resolve the allegations of this complaint, the District agrees to take the following actions:

Training

By August 8, 2019, the District will provide training at the high school the Student attended during the 2017-2018 school year (School). The training will be provided to teachers, staff, counselors, and administrators who oversee or are part of creating or implementing Section 504 plans or individualized education plans (IEPs) for students with disabilities.

The training shall include, but not be limited to, outlining relevant statutes, regulations, policies, and hypothetical situations relevant to the evaluation and placement of students with mental health and other hidden disabilities.

Specifically, the training will include the following topics: the District's obligation under Section 504 to provide services to students with mental health and other hidden disabilities that interfere with any major life activity in the school setting; the District's Section 504 policies and procedures, including how the policies and procedures relate to students with mental health and other hidden disabilities; a definition of mental health and other hidden disabilities and how they manifest in the school setting; and hypotheticals to illustrate how the School may be able to evaluate and accommodate students using the Section 504 process.

REPORTING REQUIREMENT: Within ten (10) days of the date the training is conducted, the District shall provide a copy of the training presentation and materials, the name and qualifications of the individual who conducted the training, and a copy of the completed sign-in sheet to OCR for review and approval.

¹ The *Case Processing Manual* is available on OCR's website at <http://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.pdf>.

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, 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 that 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.

Dr. Mary Hendricks-Harris, Superintendent

December , 2018

Date