

**RESOLUTION AGREEMENT**  
**Liberal USD 480**  
**OCR Case Number 07-19-1254**

Unified School District No. 480, Seward County (District), Liberal, Kansas, submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve OCR Case No. 07-19-1254 and ensure the District's compliance 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, and its implementing regulation at 28 C.F.R. Part 35. The District voluntarily agreed to resolve this complaint prior to the conclusion of OCR's investigation. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District.

The District agrees to take the following actions:

**Section 504 Meeting and Plan**

1. On or before February 28, 2020 (Evaluation Date), the District will complete the evaluation that began on October 29, 2019 to determine the Student's current unique educational needs. This evaluation will include all information the 504 Team determined necessary during the meeting held on October 29, 2019, which was documented in the Section 504 Notice and Consent to Evaluate and signed by both parents; PROVIDED HOWEVER, in the event the District has requested and not received from the parents, student's health care provider or any third party information necessary for a comprehensive evaluation prior to the Evaluation Date, District shall notify OCR and the parties shall agree to an extension of the Evaluation Date and extend the dates hereinafter set forth in paragraphs 2, 3 and 5 accordingly.
2. On or before February 28, 2020, the District will complete an eligibility determination meeting (Eligibility Meeting) to consider the comprehensive evaluation and assess the Student's current eligibility for services and/or accommodations through a Section 504 plan; and will make an eligibility determination. At least 5 days prior to the Eligibility Meeting, the District will provide the Student's parents documentation specifying the date, time and location of the meeting.
3. If the Student is determined to be eligible for services and/or accommodations under Section 504, the District will conduct a team meeting (Team Meeting) within 10 days of such determination in order to develop a Section 504 plan for the Student, in accordance with Section 504 regulations at 34 C.F.R. § 104.35. At least 5 days prior to the Team Meeting, the District will provide the Student's parents documentation specifying the date, time and location of the Team Meeting.
4. The District will provide the Student's parents with a meaningful opportunity to provide input into these determinations, notice of the determinations made, and notice of the procedural safeguards available to them under 34 C.F.R. § 104.36, including their right to challenge such determinations through an impartial due process hearing should they disagree.

**REPORTING REQUIREMENT 1:** On or before 30 days after conclusion of the Team Meeting, the District will provide OCR documentation showing that the meetings required by Sections 1, 2, 3 and 4 of this Agreement were completed, and that notice was provided to the parents.

**REPORTING REQUIREMENT 2:** On or before 90 days after conclusion of the Team Meeting, the District will provide OCR a copy of the Section 504 plan or a statement that the Student was determined to not be eligible for services and/or accommodations under Section 504.

**Compensatory Services/Retroactive Accommodations**

5. As a part of the initial evaluation meeting, the 504 Team will determine whether the Student is in need of compensatory services and will determine whether a delay in evaluation time has impacted the Student's credits earned by delaying an implementation of accommodations.
6. If (i) the Student qualifies under Section 504; and (ii) the 504 Team determines the Student requires compensatory services, those will be implemented as the 504 Team determines appropriate on a timeline agreed upon by the Parents and District.
7. If the 504 Team determines delayed implementation of accommodations has negatively impacted the number of credits the Student has earned toward graduation, the 504 Team will adjust graduation requirements from the 26 credit hours required by District to a number determined appropriate by the 504 Team, provided it is not fewer than the 21 credit hours required by the Kansas State Department of Education and meets requirements for the types of courses required by KSDE.

**REPORTING REQUIREMENT 3:** On or before 30 days after conclusion of the Team Meeting, the District will provide OCR documentation showing that the compensatory services and/or graduation requirements required by Section 5 of this Agreement were agreed upon, and adjustments to the student's graduation requirements were made as required by Section 7 of this Agreement.

**REPORTING REQUIREMENT 4:** If applicable, on or before June 1, 2020, the District will provide OCR documentation showing that the compensatory services required by Section 6 of this Agreement were provided, or a statement that the 504 Team determined that compensatory services were not needed.

