

**Resolution Agreement**  
Fredericktown R-I School District  
OCR Case No. 07211099

The U.S. Department of Education, Office for Civil Rights (OCR) and Fredericktown R-I School District (District), in Fredericktown, Missouri enter into this voluntary Resolution Agreement (Agreement) to resolve the allegation in the above-referenced complaint, pursuant to Section 302 of OCR's *Case Processing Manual*,<sup>1</sup>

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 agrees to take the following actions:

**Action Item 1:** Within sixty (60) days of signing this Agreement, the District will create placement procedures for students with disabilities before taking any action with respect to the initial placement of the person in regular or special education consistent with the procedural requirements of Section 504, 34 C.F.R. §§104.31-104.36.

**REPORTING REQUIREMENT 1:** Within thirty (30) days of adopting the placement procedures developed in satisfaction of Action Item 1 of the Agreement, the District will provide documentation to OCR demonstrating that the District has placement procedures in place to comply with Item 1 of the Agreement. The documentation shall include copies of the policies and procedures and evidence of adoption and publication.

**Action Item 2:** The Student is no longer enrolled in the District, however, if the Student reenrolls in the District, the District will apply the placement procedures created pursuant to Action Item 1 to the Student. The District will include a copy of this Agreement in the Student's permanent District record.

**REPORTING REQUIREMENT 2:** Within 10 business days of signing this agreement, the District will provide OCR with evidence that this Agreement has been included in the Student's permanent District record as required by Action Item 2 of this Agreement.

The District understands that by signing this Agreement, it agrees to provide the foregoing information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the District understands that during the monitoring of this Agreement, if necessary,

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

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 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. 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.

/s/ \_\_\_\_\_  
XXX XXXXX XXXXXXXX, XXXXXXXXXXXXXXXX

9/7/2021  
\_\_\_\_\_  
Date