

Resolution Agreement
OCR Case No. 07211162
Pattonsburg R-II School District

The Pattonsburg R-II School District voluntarily enters into this Resolution Agreement (Agreement) to resolve the allegations in the above-referenced complaint filed under Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, which prohibit discrimination based on disability by recipients of federal financial assistance, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131 *et seq.*, and its implementing regulation, 28 C.F.R. Part 35, which prohibit discrimination based on disability by public entities.

Before OCR completed its investigation, the Pattonsburg R-II School District agreed to resolve the complaint pursuant to Section 302 of OCR's *Case Processing Manual*. OCR has not made any conclusions of law or issued a final determination regarding this complaint. While the Pattonsburg R-II School District agrees to take the following actions, nothing contained in this Agreement shall be construed as an admission on its part to the allegations in the complaint.

RESOLUTION PROVISIONS

Within 60 calendar days of the date of this Agreement, the Pattonsburg R-II School District will convene a 504 team to review the disability-related needs of the Student who is the subject of this complaint, discuss the Complainant's concerns regarding the Student's 504 Plan and disability-related services provided to the Student by the Pattonsburg R-II School District, and revise the Student's 504 Plan as the 504 team deems appropriate. The Pattonsburg R-II School District will invite personnel from the Children's Mercy Hospital XXXX Clinic in Kansas City, Missouri, to participate in the 504 meeting and, to the extent possible, ensure the 504 meeting is conducted with said personnel participating. The Pattonsburg R-II School District will remind the Complainant of her right to be assisted by an advocate at the 504 meeting and will provide the Complainant notice of her Section 504 procedural safeguards regarding decisions made by the Pattonsburg R-II School District that pertain to the identification, evaluation, and placement of the Student.

REPORTING REQUIREMENT: Within fifteen (15) calendar days after completion of the 504 meeting and the other actions described above, the Pattonsburg R-II School District will provide to OCR copies of all documents created, revised, and/or reviewed in conjunction with the above-described actions. These documents should include, but are not limited to, notice of the 504 meeting (if applicable), notes of the 504 meeting (if created), the Student's 504 Plan resulting from the 504 meeting, and a copy of the notice of Section 504 procedural safeguards provided by the Pattonsburg R-II School District to the Complainant.

The Pattonsburg R-II School 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 Pattonsburg R-II School District understands that, during the monitoring of this Agreement, if necessary, OCR may visit the Pattonsburg R-II

School District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether it has fulfilled the terms of this Agreement and is in compliance with Section 504, Title II, and the regulations implementing these laws. Upon completion of the obligations under this Agreement, OCR shall close this case.

The Pattonsburg R-II School 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 Pattonsburg R-II School District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Authorized Official for the Pattonsburg R-II School District
(Name and Title)

Date