

**RESOLUTION AGREEMENT  
Doniphan R-1 School District  
OCR Case Number 07-22-1023**

The Doniphan R-1 School District (District), Doniphan, Missouri, submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve OCR Case No. 07-22-1023 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. § 12132, 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:

**REEVALUATION AND CONSIDERATION OF COMPENSATORY SERVICES**

1. In the event the Student reenrolls in the District, the District will convene the IEP Team to reevaluate the Student's special education needs. Since relevant law and regulations only warrant compensatory services in specific situations, the District agrees to consider whether any additional educational services are appropriate for the Student. If so, the District will develop a plan for providing the additional education services to him. If a team of knowledgeable professionals determine under relevant law and regulations that compensatory services are not warranted, that determination would be documented, and no such additional services would be required.

**REPORTING REQUIREMENT:** Within 30 calendar days of the IEP meeting required by item 1 of this Agreement, the District will inform OCR whether the IEP team determined compensatory education services were necessary, and if so, provide a copy of the plan for providing the additional education services and the amount of additional education services appropriate for the Student.

**SECTION 504 TRAINING FOR ADMINISTRATORS AND STAFF**

2. By October 31, 2022, the District will provide training regarding disability-based discrimination to District administrators, counselors, and teachers. The training will include responsibilities in the evaluation and placement of Students with disabilities, including responsibilities in the event of discipline or other actions which may result in a significant change of placement and the procedures for doing so. The training will be conducted by an individual with appropriate expertise regarding Section 504.

**REPORTING REQUIREMENT:** Within 30 calendar days of providing the training required by item 2 of this Agreement, the District will provide OCR documentation showing it has completed the training. The documentation must identify and include: the name and title of the individual who conducted the training; the date and location of the training; the topics addressed at the training; a copy of any materials distributed at the

training; and a sign-in sheet with the name and title of each individual who participated in the training.

The District 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 set forth in this Resolution Agreement. Further, the District understands that during the monitoring of this Resolution Agreement, if necessary, OCR may visit the District, interview employees 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 Resolution Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§ 104.33 and 104.37 and Title II at 28 C.F.R. § 35.130(a), which were at issue in this case. Such requests for visits or additional data will be made through the District’s legal counsel.

The District understands that OCR will not close the monitoring of this Resolution Agreement until OCR determines that the District has fulfilled the terms of this Resolution Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§ 104.33 and 104.37 and Title II at 28 C.F.R. § 35.130(a), which were at issue in 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 Resolution Agreement. Before initiating administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Resolution Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

XXXXX XXXXX  
Superintendent (or designee)  
Doniphan R-1 School District

4/11/2022  
Date