

**RESOLUTION AGREEMENT**  
**Farmington Public Schools**  
**OCR Case No. 07221308**

Farmington Public Schools (the District) submits this voluntary Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve OCR Case No. 07221308 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 et seq., 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:

**COMPENSATORY SERVICES**

**Action Item 1:** By December 15, 2022, the District will make an offer in writing to the parent or guardian of the Student to convene a group of persons knowledgeable about the Student to determine whether the Student is in need of compensatory services, including counseling services or support.

**Reporting Requirement 1:** By December 31, 2022, the District will provide to OCR a copy of its written communication to the Student's parent or guardian required by Action Item 1 of this Agreement.

**Reporting Requirement 2:** By January 20, 2023, the District will notify OCR of whether the parent or guardian of the Student accepted or declined the offer of the District to meet to determine whether the Student is in need of compensatory services, and if applicable, the date the team met to consider whether compensatory services are needed, and the determination made by the team. Additionally, if the team determines compensatory services are needed, the District will inform OCR of which service(s) will be provided and when.

**SECTION 504 and TITLE II TRAINING FOR ADMINISTRATORS AND STAFF**

**Action Item 2:** By January 20, 2023, the District will provide training regarding the requirements of Section 504 and Title II to all District administrators, counselors, and teachers. The training will include, but shall not be limited to, training regarding the District's obligations under Section 504 and Title II. The training will include information regarding the School's responsibility to treat all students in a manner that does not discriminate on the basis of disability. The training will specifically including a discussion of the general anti-discrimination provisions of Section 504 and Title II, including the prohibition against denying a qualified individual with a disability the opportunity to participate in or benefit from the aid, benefit, or service of the District in a

similar manner as students without a disability. The training will be conducted by an individual(s) knowledgeable about the requirements of Section 504 and Title II.

**Reporting Requirement 3:** By January 31, 2023, the District will provide OCR documentation showing it has completed the training required by Action Item 2 of this Agreement. The documentation must include the following: (1) the name and qualifications of the individual(s) who conducted the training; (2) the date(s) of the training session(s); (3) a copy of the agenda and/or training materials; and (4) a sign-in sheet or other document showing the names and titles of participants and indicating any District staff who did not attend.

The District understands that by signing this Agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the 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 and obligations of this Agreement.

The District understands that OCR will not close the monitoring of this Agreement until such time as OCR determines that the District is in compliance with the terms of the Agreement and the statute and regulations at issue in the case.

The District understands and acknowledges that OCR may initiate administrative enforcement proceedings or refer this case to the Department of Justice (DOJ) for judicial proceedings to enforce the specific terms of the Agreement and the applicable statute and regulations. Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.

XXXXXX XXXXX  
Superintendent (or designee)  
Farmington Public Schools

XXXXXX  
Date