

RESOLUTION AGREEMENT
Brookfield R-III School District
OCR Complaint No. 07231165

Brookfield R-III School District (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. 07231165 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.

The District agrees to take the following actions:

1. Individual Remedy

By August 31, 2023, the District will convene a group of persons (multi-disciplinary team) pursuant to Section 504 to determine whether the Student requires compensatory and/or remedial services for any accommodations XXXXX did not receive during XXXXX XXXXX XXXXX XXXXX class in the XXXXX semester of 2022. If such services are required, the multi-disciplinary team will develop a plan for providing timely compensatory and/or remedial services within 14 calendar days of that determination. The District will also consider whether the Student's grade in the XXXXX XXXXX class requires adjustment due to denial of certain 504 accommodations.

Reporting Requirement 1: Within 30 calendar days of the District convening the multi-disciplinary team, the District will submit to OCR documents supporting the team's decisions. The documentations submitted will include the following:

- names of all participants;
- an explanation for decisions made;
- the information considered;
- a description and schedule of any compensatory and/or remedial services to be provided to the Student; and
- the Student's grade adjustment, if any.

2. Policies and Procedures

By September 15, 2023, the District will adopt new policies and procedures to ensure that students with disabilities who are enrolled in XXXXX XXXXX XXXXX receive accommodations consistent with their Section 504 plans and/or Individualized Education Programs (IEPs).

Reporting Requirement 2: By September 15, 2023, the District will provide documentation to OCR demonstrating that the District has complied with Item 2 of the Agreement. The documentation shall include: (1) copies of the District's policies and procedures and (2) evidence of adoption and publication.

3. Training

Following the adoption of the policies and procedures set forth in Item 2 of this Agreement and no later than August 31, 2023, the District will provide training regarding the District's revised policies related to students with disabilities. The training will include, but shall not be limited to, training regarding the District's obligations under Section 504 and Title II; training related to providing students with disabilities an equal opportunity to participate in District services and activities; and training regarding the District's policies regarding students with disabilities enrolled in XXXXX XXXXX courses. The training will be conducted by an individual(s) knowledgeable about the requirements of Section 504 and Title II.

Reporting Requirement 3: By September 15, 2023, the District will provide OCR documentation showing it has completed the training required by Section 3 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 (or designee)
Brookfield R-III School District

Date