

RESOLUTION AGREEMENT
Burlington School District
Case Number 08-13-1113

In order to resolve the open allegations in Case Number 08-13-1113 filed with the U.S. Department of Education, Office for Civil Rights (OCR) against Burlington School District RE-6J (District) pursuant to Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 and its implementing regulation at 28 C.F.R. Part 35, the District agrees to implement the following Resolution Agreement.

During the course of OCR's investigation, before OCR had made any findings, the District indicated a willingness to take steps necessary to ensure compliance with Section 504 and Title II. Pursuant to Section 302 of OCR's *Case Processing Manual*, a complaint may be resolved when, before the conclusion of an investigation, a recipient expresses an interest in resolving the complaint and the OCR Office Director believes that doing so is appropriate, so long as the remedies align with the allegations or the information obtained during the investigation. The District's decision to enter into this Agreement is not an admission of liability or wrong-doing, nor shall it be construed as such.

- 1) The District will develop (directly or through collaboration with a third party with expertise in the subject matter) training materials for staff regarding the handling of situations that involve students who may be a harm to themselves or others. These materials will ensure that the handling of such situations is consistent with the requirements of Section 504 and Title II.

REPORTING REQUIREMENT

By December 1, 2013, and each subsequent year that OCR is monitoring the implementation of this Agreement, the District will submit to OCR for review and approval (1) the qualifications of the individual who will provide the training; and (2) the proposed training agenda and training materials.

- 2) Following OCR's approval of the training materials, the District will provide training to its administrators and staff members who are involved in assessing students who may be a harm to themselves or others regarding its policies, procedures, and practices relating to the use of such risk assessments to ensure that the assessments are carried out in a manner consistent with Section 504 and Title II. The District will incorporate the training into its annual in-service training and provide the training to newly hired employees who will be involved in the risk assessment process.

REPORTING REQUIREMENT

By February 1, 2014, and each subsequent year that OCR is monitoring the implementation of this Agreement, the District will provide OCR with documentation demonstrating that the training was provided, and will provide a sign-in sheet documenting that its administrators and staff members attended the training.

