

**Resolution Agreement
Fremont County School District #1
Complaint No. 08-17-1084**

In order to resolve the open allegations in this complaint filed against Fremont County School District #1 (District) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR) pursuant to Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 (Section 504) and its implementing regulation at 34 Code of Federal Regulations (C. F. R.) Part 104 and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131–65, and its implementing regulation at 28 C.F.R. Part 35, the District agrees to implement the following Resolution Agreement.

The District's decision to enter into this Agreement is not an admission of liability or wrongdoing, nor shall it be construed as such.

I. Section 504 Grievance Policies and Procedures, Notice of Section 504/Title II Coordinator, and Notice of Non-Discrimination: The District will review and revise its policies and procedures for responding to disability discrimination complaints (herein "Section 504 Grievance Procedures"), provide a notice of nondiscrimination, and provide notice of its Section 504/Title II compliance officer, so that the grievance policies and procedures and notices are compliant with Section 504 and Title II.

REPORTING REQUIREMENTS:

By July 1, 2017, the District will submit to OCR for review and approval the District's draft Section 504 Grievance Procedures, its draft notice of non-discrimination, and the qualifications of its Section 504/Title II compliance officer and draft notice of the compliance officer.

Within 60 days of OCR's approval of the District's Section 504 Grievance Procedures, notices of nondiscrimination and Section 504/Title II compliance officer, the District will adopt the approved policies, procedures, notices, and provide notice of these to District parents and students. The notice may be accomplished by placing information regarding the grievance policy and procedures, notice of the Section 504/Title II compliance officer, and notice of non-discrimination in school newsletters, and the District's website with links to these posted on its website.

Within 60 days of adoption of the OCR's approved grievance policy and procedures, and notices, the District will provide OCR with supporting documentation to show the approved policies and procedures were adopted and the notices were provided.

II. Training: The District will identify and train the staff members at each school who are responsible for responding to disability discrimination complaints. The training will include the obligation of staff to refer potential discrimination complaints to the District's compliance officer in accordance with the approved Section 504 Grievance Procedures.

REPORTING REQUIREMENTS:

Within 30 days of OCR's approval of the Section 504 Grievance Procedures, the District will provide OCR with a copy of the training agenda, training materials, and identify the trainer and her/his qualifications to provide the training, for OCR's review and approval.

Within 60 days of OCR's approval of the trainer and training materials, the District will provide OCR with a copy of all handouts provided during or before the training, a list of all staff identified to receive the training, and a sign-in sheet for those attending the training.

III. Individual Remedies: Within 30 calendar days of OCR's approval of the District's Section 504 Grievance Procedures, the District will investigate the alleged disability harassment of the Student on September 12, 2016 and November 18, 2016, and provide a summary of the investigation to OCR. The District will consider and respond to feedback from OCR regarding whether the investigation is consistent with the District's Section 504 Grievance Procedures. If the District determines that corrective action is appropriate, it will take the steps necessary to carry out the corrective action. The District will consider and respond to any feedback from OCR regarding the legal adequacy of the proposed corrective action before beginning implementation.

REPORTING REQUIREMENTS:

Within 60 calendar days of OCR's approval of the District's Section 504 Grievance Procedures, the District will submit, for OCR review and approval, documentation evidencing that it has thoroughly investigated the alleged harassment of the Student on September 12, 2016, and November 18, 2016, consistent with the Section 504 Grievance Procedures.

Within 15 calendar days of receiving OCR's feedback, if the District or OCR determines that corrective action is appropriate, the District will submit, for OCR review and approval, the District's plan for taking corrective action, including the specific steps the District intends to take and a timeline for the completion of the corrective action.

Within 30 calendar days of completing its last step to implement agreed upon corrective action, the District will submit documentation to OCR to demonstrate that the corrective action plan has been fully executed.

The District intends for the implementation of this Agreement to fully resolve the allegations raised by the Complainant in the referenced complaint. The District understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504 and Title II, which were at issue in this case.

The District understands that by signing this agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this 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 of this agreement and is in compliance with the regulation implementing Section 504 and Title II.

The 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 School written notice of the alleged breach and 60 calendar days to cure the alleged breach.

_____/S/_____

Dr. Dave Barker, Superintendent

6/16/17

Date