

Resolution Agreement
Franklin McKinley Elementary School District
OCR No. 09-14-1199

In order to resolve the issues raised under Title VI of the Civil Rights Act of 1964 (Title VI) and Section 504 of the Civil Rights Act of 1973, in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), and without admitting or conceding any violation of Federal law with respect to the issues raised in the complaint, Franklin-McKinley Elementary School District (District) agrees to implement this agreement.

I. Actions and Reporting

- A. The District will ensure that its Section 504 policies and procedures comply with the requirements of 34 CFR §§ 104.36, 104.7 and related provisions and revise as necessary. By December 31, 2014, the District will submit any changes made to its policies and procedures to OCR for review and feedback. OCR will review and provide feedback within 30 business days of receipt. The District and OCR will use best efforts to finalize Section 504 policies and procedures by January 30, 2015. The District will submit the Section 504 policies and procedures to the District's governing board for adoption within forty-five (45) days after the District and OCR reach agreement on the Section 504 policies and procedures.
- B. Within sixty (60) days after the District's governing board adopts Section 504 policies and procedures, the District will post information about Section 504 in a prominent, easily accessible space on the District's and each school's websites. The Section 504 information will be available in English, Spanish, and Vietnamese. The information will include:
1. The identity and title of the District's Section 504 Coordinator, a description of the Coordinator's responsibilities, and the Coordinator's contact information.
 2. A description of student and parent rights protected under Section 504, including District procedures for providing notice, an opportunity for parents and guardians to examine relevant records, the right to an impartial hearing with the opportunity for participation by the parents or guardians with representation by counsel, and a review procedure.
 3. A complaint form for internal Section 504 complaints, which will permit the Section 504 Coordinator to review any potential compliance issues. The use of the Section 504 complaint form, while encouraged, will not be required in order to report an internal complaint.
 4. A description of the District's Section 504 grievance procedure.

5. Information for parents who are dissatisfied with the District's handling of a complaint, or, who wish to address their complaint immediately to an authority outside of the District, that they may file a complaint with OCR, and provide information on how to file an OCR complaint.
- C. The District will provide training to appropriate administrators within thirty (30) days after the District's adoption of a new Section 504 policy and procedures.

II. Monitoring

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the District has fulfilled the terms of this agreement in compliance with Title VI.

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 Title VI.

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 District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

_____/s/_____
John. R. Porter (or designee)
Superintendent

_____12/10/2014_____
Date