

RESOLUTION AGREEMENT

Lewiston Independent School District 1 (the district) enters into this agreement to resolve the allegations in OCR Reference No. 10191084, filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II).

I. POLICIES AND PROCEDURES

- A. The district will review and revise, if necessary, its current policies and procedures (revised procedures) to ensure that all regular and special education and related aids and services are provided to qualified students in accordance with Section 504 and Title II, and their implementing regulations at 34 C.F.R. Part 104 and 28 C.F.R. Part 35. The revised procedures must specifically ensure that:
1. the district will provide all regular and special education and related aids and services to each student identified under Section 504 necessary to provide a student with a free appropriate public education;
 2. the district will implement all provisions contained in each student's program under Section 504, unless a placement decision consistent with the procedural requirements of Section 504 is made and that particular aid or service is no longer necessary or appropriate; and
 3. the district will promptly and effectively notify relevant district administrators and staff of a student's Section 504 plan, so that all regular and special education and related aids and services identified in the Section 504 plans can be implemented in a timely manner.
- B. Reporting Provisions
1. By September 15, 2019, the district will submit to OCR, for its review and approval, a draft of its current or revised procedures. If OCR requires any changes to the current or revised procedures, the district will re-submit the revised procedures within 30 calendar days of receiving notice of the required revisions from OCR. The district and OCR will continue this process until OCR approves the revised procedures.
 2. Within 60 calendar days of receiving OCR's written approval of the revised procedures, the district will provide to OCR documentation demonstrating that it has: (1) adopted the revised policies and

procedures; and (2) provided notification to students, families, and employees of the revised policies and procedures.

II. TRAINING

- A. The district will provide annual training to all administrators and teaching staff at district schools on their obligation to implement Section 504 plans in accordance with Section 504 and Title II, and their implementing regulations at 34 C.F.R. Part 104 and 28 C.F.R. Part 35. The training will be conducted by someone who is qualified and has expertise in Section 504 and Title II.
- B. Reporting Provisions:
 - 1. By September 15, 2019, the district will submit to OCR, for its review and approval, a draft of its training lesson plan, including handouts, if any. If OCR requires any changes to the lesson plan, the district will re-submit the revised lesson plan within 30 calendar days of receiving notice of the required revisions from OCR. The district and OCR will continue this process until OCR approves the training lesson plan.
 - 2. Within 60 days of receiving OCR's approval of the training lesson plan, the district will provide OCR with a report demonstrating that it conducted the training described in II.A., above. The report will include a detailed description or lesson plan of the training given, the time(s) and date(s) of the training, any handouts or presentation slides used during the training, a list, by name and job position, of persons who attended the training, and the name and qualifications of the trainer.

III. STUDENT REMEDIAL SERVICES

- A. The district will provide the complainant a letter that will provide information about the corrective actions being taken by the district to ensure all qualified students receive all of the aids and services contained in the students' Section 504 plans in order to provide a free appropriate public education; and complainant will receive notice of any revision of policy and procedures developed in accordance with section I.A., above;
- B. Reporting Provisions

1. By September 15, 2019, the district will submit to OCR, for its review and approval, a copy of the letter drafted in accordance with Section III.A., above. If OCR requires changes to the letter, the district will re-submit the letter within 30 calendar days of receiving notice of the required changes. The district and OCR will continue this process until OCR approves the letter.
2. Within 30 days of receiving OCR's approval of the letter, the district will submit a report to OCR demonstrating that it sent the approved letter to the complainant.

V. GENERAL MONITORING PRINCIPLES

- A. The district understands that by signing this agreement, it agrees to provide OCR 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 of this agreement. Upon the district's satisfaction of the commitments made under this agreement, OCR will close this case.
- B. 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 under 34 C.F.R. §§ 100.9 and 100.10, or judicial proceedings, including to enforce this agreement, OCR shall give the district written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Signed:

/s/

Dr. Robert M. Donaldson
Superintendent
Lewiston Independent School District 1

7/11/19
Date