

**RESOLUTION AGREEMENT**  
**Queens Grant High School**  
**OCR Case No. 11-16-1386**

In order to resolve the allegation raised in U.S. Department of Education, Office for Civil Rights (OCR) Case No. 11-16-1386, XXXX School (the School) assures OCR, that pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 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 (ADA), 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, it agrees to fully implement this Resolution Agreement (Agreement). This Agreement does not constitute an admission by the School of a violation of Section 504, the ADA, or any other law enforced by OCR.

**Action Item A**

By March 31, 2017, the School will develop and provide training, or OCR will provide training, to School teachers and administrators on the requirements of Section 504 and Title II. The training will emphasize the School's obligations under Section 504 to provide a free appropriate public education (FAPE) to students with disabilities, specifically, by developing and implementing an Individualized Education Program (IEP) or Section 504 Plan, in accordance with Section 504.

**Reporting Requirements:**

- a. Within 45 calendar days, if the School elects to conduct their own training, the School will submit for OCR's review and approval the proposed training materials as described in Action Item A above. The School will also identify the individual(s) who will conduct the training and their qualifications.
- b. Within 45 calendar days of written notification from OCR of its approval of the training, the School will provide documentation to OCR demonstrating that training was provided consistent with Action Item A above, including: (a) the name(s) of the individual(s) who conducted the training; (b) a list of the individuals who attended the training and their positions; (c) the date(s) the training was conducted; and, (d) copies of any training materials disseminated.

**Action Item B**

By February 15, 2017, after providing proper written notice to the Student's parent/guardian, the School will convene a group of persons knowledgeable about the Student, making all reasonable efforts to include the parent/guardian, with the purpose of developing a plan for providing compensatory and/or remedial services to the Student for the time period the Student did not receive appropriate regular and/or special education or related services in the form of notes for his science class, during the 2015-2016 school year. The group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond June 1, 2017. The School will provide the Student's parent/guardian with notice of the procedural safeguards, including the right to challenge the group's determination through an impartial due process hearing.

**Reporting Requirements:**

- a. Within one week of convening the group of knowledgeable persons, the School will submit to OCR a copy of the meeting minutes or similar documentation from the meeting, including an explanation for decisions made, a description of and schedule for providing compensatory and/or remedial services (if any) to the Student, the notice of procedural safeguards, the written invitation to the Student’s parent/guardian, and a list of meeting attendees. OCR will review the documentation submitted to ensure that the School met the procedural and other requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35, and 104.36, in making these determinations.
- b. Within 10 calendar days after receiving OCR’s approval, the School will provide the Student’s parent/guardian with written notice of the outcome of the meeting, including an explanation for decisions made and a description of and schedule for providing compensatory and/or remedial services (if any) to the Student. The School will provide a copy of this written notice to OCR.
- c. By June 30, 2017, and if applicable, the School will provide documentation to OCR of the dates, times, and locations that compensatory and/or remedial services were provided, a description of what was provided, and the name(s) of the service provider(s).

The School understands that OCR will not close the monitoring of this Agreement until OCR determines that the School has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 and Title II, at 28 C.F.R. Part 35 and 34 C.F.R. Part 110.

The School understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the School understands that during the monitoring of this Agreement, OCR may visit the School, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the School has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 and Title II, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which was at issue in this case.

The School 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 a minimum of sixty (60) calendar days to cure the alleged breach.

By: \_\_\_\_\_/S/\_\_\_\_\_ Date: \_\_\_\_\_1/17/2017\_\_\_\_\_

Dr. Michael Smith  
Principal or Designee  
Queens Grant High School