

RESOLUTION AGREEMENT
XXXXX
OCR Case No. 11-21-1320

XXXXX (the Academy) agrees to fully implement this Resolution Agreement (Agreement) to resolve the allegation investigated in Office for Civil Rights (OCR) Case No. 11-21-1320. This Agreement does not constitute an admission by the Academy of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.

1. **Section 504 Procedures:** The Academy will revise its written policies regarding the identification, evaluation, and placement of students who need or are believed to need special education or related aids and services because of a disability, in order to ensure that they comply with the regulation implementing Section 504, at 34 C.F.R. §§ 104.32 and 104.35.

Reporting Requirements:

- a. Within 30 calendar days of the date of this Agreement, the Academy will submit drafts of its revised policies to OCR for OCR's review and approval.
 - b. Within 15 calendar days after OCR approves the revised policies, the Academy will disseminate them to all staff and post a link to the revised policies in an easily accessible location on the Academy's website. Within 15 calendar days of publicizing the revised policies, the Academy will submit to OCR documentation that it has publicized them, including the relevant website link(s).
2. **Training:** The Academy will provide training to Academy administrators and staff responsible for evaluating students and making determinations regarding special education and/or related aids and services, including the Academy's Section 504 Coordinator(s); principal, assistant principal, guidance counselor and special education teachers. The training will cover the Academy's policies revised in accordance with Item 1, above, and the Academy's obligation to conduct an evaluation of any student who, because of disability, needs or is believed to need special education and/or related services before taking any action with respect to the initial placement of the student in regular or special education and any subsequent significant change in educational placement. The training will inform staff that in interpreting evaluation data and in making placement decisions, the Academy shall, in accordance with the regulation implementing Section 504, at 34 C.F.R. § 104.35(c), draw upon information from a variety of sources; establish procedures to ensure that information obtained from all such sources is documented and carefully considered; ensure that the placement decision is made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and the placement options; and, ensure that the placement decision is made in conformity with 34 C.F.R. § 104.34.

Reporting Requirements:

- a. Within 30 calendar days of the date of this Agreement, the Academy will provide for OCR's review and approval a copy of its training plan, including the name and qualifications of the trainer, the planned agenda, and any presentations, handouts, or other materials the Academy plans to use for the training.
- b. Within 30 calendar days after OCR's approval of the training plan, the Academy will conduct the training and provide verification that it took place, including a copy of a sign-in sheet(s) with the name, title, and signature of every attendee to OCR.
- c. By June 30, 2022 and June 30, 2023, the Academy will provide to OCR a list of all Academy students for whom, during school years 2021-2022 and 2022-2023, respectively, a request was made that the Academy evaluate the student to determine eligibility for related aids and services pursuant to a Section 504 plan. For each student listed, the Academy will indicate: (a) the date the request was made and the nature of the request; (b) what, if any, documentation was provided in support of the request; (c) whether the Section 504 team convened following the request and the reason(s) why or why not; and (d) if the Section 504 team convened following the request, the date the team convened, the names and titles of the individuals who convened, and the determination(s) made by the team.

The Academy 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 the Agreement. Further, the Academy understands that during the monitoring of this Agreement, if necessary, OCR may visit the Academy, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Academy has fulfilled the terms and obligations of this Agreement. Upon the Academy's satisfaction of the terms and obligations of this Agreement, OCR will close this case.

The Academy understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statutes and regulations. Before initiating such proceedings, OCR will give the Academy written notice of the alleged breach and 60 calendar days to cure the alleged breach.

By: _____ Date: 02/23/2022
Kirby McCrary
Headmaster
Millennium Charter Academy