

**Resolution Agreement
Perrysburg Schools
OCR Docket #15-14-1084**

The Perrysburg Schools (the District) submits this Resolution Agreement to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the above-referenced complaint and ensure compliance with Section 504 of the Rehabilitation Act of 1973, 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, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35. The District agrees to do the following:

ACTION STEPS – Individual Remedies

1. By September 30, 2014, the District will:
 - a. Convene the Student's xxxxxx xxx xxxx (Team), including the Student's parents, to determine what compensatory education or other remedial services, including, if necessary, grade adjustments, the Student requires for the time period from xxxxxxxxxxx xxx xxxxx until xxxxxxxxxxx xx xxxxx during which the District failed to implement the Student's xxxxxxxx xxx xxxxx
 - b. Develop a written plan for providing the Student with the compensatory education or other remedial services deemed necessary pursuant to Action Step 1.a above, which plan will identify the nature and amount of the services to be provided at no cost to the Student's parent(s), by whom, and when, and will become part of the Student's xxxxxxxx xxx xxxxx. The District will invite the Student's parent(s) to participate in the Team meeting, and in the event that the Student's parent(s) is/are unable to attend, the District will provide the Student's parent(s) with a meaningful opportunity to provide input, written notice of any determinations made, and notice of the procedural safeguards available to them under 34 C.F.R. § 104.36, including their right to challenge such determinations through an impartial due process hearing should they disagree.

REPORTING REQUIREMENTS: By September 30, 2014, the District will provide OCR with documentation to demonstrate its implementation of Action Step 1 above, including: documentation showing when the Team met, who was present, what was discussed, the Team's decisions, and the bases for those decisions, copies of any meeting minutes, a copy of any plan developed for the Student, documentation of any input provided by the Student's parents and showing that procedural safeguards were provided to them, and any other documentation relevant to the determinations reached in accordance with Action Step 1 above. Should the District determine that no compensatory education or other remedial services are necessary, the District will provide a written explanation of the reasons for those determinations, along with any supporting documentation. OCR will review the documentation submitted to ensure that the District met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.33, 104.34, 104.35 and 104.36, in making these determinations.

By December 15, 2014, the District will submit documentation to OCR verifying that it provided the Student with the compensatory education the Team determined to be necessary, including the dates, times, and locations that the compensatory education or other remedial services were provided to the Student, and the name(s) and title(s) of the service provider(s).

2. By September 30, 2014, the District will notify the Student's parent, in writing, of the outcome of its investigation of her complaint to the District from the xxxxxxxxx school year of discrimination based on disability. The District's written notification to the Student's parent will include: a statement explaining the allegation of disability discrimination investigated by the District; a statement of the legal standard the District applied in analyzing the evidence obtained; explanation of the District's findings following its investigation; and, if applicable, any remedies provided to the Student or other actions taken by the District.

REPORTING REQUIREMENT: By September 30, 2014, the District will provide OCR with a copy of the written notification issued to the Student's parent.

ACTION STEPS – District-wide Remedies

3. By September 30, 2014, the District will revise its Section 504/ADA Complaint and Due Process Procedures (the procedures) and any other procedures intended to address complaints under Section 504 and/or Title II to implement one, consistent procedure and to include, at a minimum, the following:
 - a. Notice and/or clarification that the procedures apply to employees.
 - b. The identification of an individual with whom Section 504 complaints may be filed if the complaint is against the building principal or is not specific to one school building at the District.
 - c. A clarification that both parties (i.e., the complainant and the respondent) have the opportunity to identify witnesses and other evidence.
 - d. An assurance that the District will take steps to prevent recurrence of any harassment or other discrimination, and to correct discriminatory effects on the complainant and others, if appropriate.
 - e. The correct address for OCR's Cleveland regional office.

REPORTING REQUIREMENT: By September 30, 2014, the District will submit to OCR the revised procedures as described in Action Step 3 for review and approval.

4. Within 60 calendar days of the District's receipt of the OCR-approved revised procedures, the District will:
 - a. Adopt and implement the OCR-approved revised procedures, publish them on its website, and include them in its student and employee handbooks, if any. The District may add inserts to any existing handbooks and distribute those inserts to

students and employees until such time as the hard copy handbooks may be appropriately updated. The District will ensure that any District documents that are inconsistent with the revised procedures are updated or removed.

- b. Notify students, parents, and guardians of the revised procedures and where a copy may be obtained by means that are designed to reach each student, parent, and guardian. Such means could include placing a notification in any regularly issued District newsletters or bulletins or sending a notice or a copy of revised procedures home with each student.
- c. Provide a copy of the revised procedures to all District staff and administrators.
- d. Provide training by a competent authority on Section 504 on the District's obligations to students with disabilities under Section 504 and the revised procedures to all District administrators, teachers and staff.

REPORTING REQUIREMENT: Within 60 calendar days of the District's receipt of the OCR-approved revised procedures, the District will submit information to OCR documenting implementation of Action Step 4, including: a description of the means used to provide notice to students, parents, and guardians of the District's revised procedures and copies of any notices issued; the link to the procedures on the District's website; verification that any inconsistent District documents were revised or removed; documentation that copies of the procedures were distributed to District staff and administrators; the date(s) of the training(s); a copy of the training agenda; copies of training materials used; the name, title, and qualifications of the person(s) who provided the training(s); and sign-in sheets showing the names and job titles of all persons who attended the training.

General Requirements

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 and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. §§ 104.7(b) and 104.33, and Title II and its implementing regulation at 28 C.F.R. § 35.107(b), 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 Section 504 and its implementing regulation at 34 C.F.R. §§ 104.7(b) and 104.33, and Title II and its implementing regulation at 28 C.F.R. § 35.107(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 (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/_____
Superintendent or Designee

09/08/14_____
Date