

**Resolution Agreement  
Sandusky City Schools  
OCR Docket #15-14-1312**

Sandusky City School (the District) voluntarily submits the following resolution agreement (Agreement) to the U.S. Department of Education's Office for Civil Rights (OCR) to resolve the above-referenced complaint and to ensure the District's 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; accordingly, the District agrees to take the following actions:

- A. By **July 31, 2015**, the District will send a letter to the Student's parent(s) notifying her that the District intends to determine what compensatory education or other remedial services are required for the Student as a result of the determination during the 2013-2014 school year that the Student had a mental or physical impairment that substantially limited one or more major life activities, and, as a result of such impairment, she was entitled to receive a free appropriate public education (FAPE) under Section 504. The letter will give the Student's parent 30 calendar days to accept, in writing, the District's offer to attend this meeting or to otherwise provide input as to compensatory education required.
- B. By **September 11, 2015**, the District will convene the meeting, as set forth in Action Step A above. At the meeting, the Team will take the following actions:
1. Determine what compensatory education or other remedial services the Student requires for the 2013-2014 school year.
  2. Develop a written plan for providing the Student with the compensatory education or other remedial services deemed necessary pursuant to Action Step B(1) above, which plan will identify the nature and amount of the services to be provided at no cost to the Student's parent, by whom, and when. As noted in Action Step A, above, the District will invite the Student's parent(s) to participate in the meetings, and in the event that the Student's parent(s) is unable to attend, the District will provide the Student's parent 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 **August 31, 2015**, the District will submit to OCR a copy of the letter sent to the Student's parent(s), notifying them that the District will convene the meeting as required in Action Step A, above.

By **September 25, 2015**, the District will provide OCR with documentation to demonstrate its implementation of Action Step B above, including: documentation showing when the group met, who was present, what was discussed, the group'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 parent(s) and showing that procedural safeguards were provided to them, and any other documentation relevant to the determinations reached in accordance with Action Item B above. Should the District determine that no 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. §§ 104.34, 104.35 and 104.36, in making these determinations.

By **January 15, 2016**, the District will provide documentation to OCR verifying that any compensatory education services and/or other remedial actions were offered, in writing, to the Student’s parent, and provided to the Student, 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). Should the services be rejected by the Student, the District will provide OCR with documentation of such rejection from the Student’s parent(s).

**General Requirements**

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the District understands that during the monitoring of this Agreement, 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 the regulations implementing Section 504 at 34 C.F.R. §§ 104.33-104.36, which were at issue in this complaint.

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 the regulations implementing Section 504 at 34 C.F.R. §§ 104.33-104.36, which were at issue in this complaint.

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

\_\_\_\_07/29/15\_\_\_\_\_  
Date