

**Resolution Agreement
Dearborn Public Schools
OCR Docket #15-15-1031**

Dearborn Public 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 take the following actions:

ACTION STEPS

1. By **June 30, 2018**, the District will adopt or revise its communication policies and procedures and submit them to OCR for its review and approval, to ensure that the District's communications with persons with disabilities, including applicants, participants, students, members of the public, and companions with disabilities, are as effective as its communications with others. The revised policies and procedures shall include, at a minimum, the following:
 - a. a title that reflects that they concern effective communication for persons with disabilities;
 - b. the name (or title) and contact information for the District's Section 504/ADA Compliance Officers and Compliance Officers for each school building;
 - c. a statement that auxiliary aids and services will be provided to ensure communication in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability;
 - d. a provision that the communication policies and procedures apply to all school-related communications, including, but not limited to, notification to parents of school closings, emergency information, scheduling changes, and school events;
 - e. a process for notifying persons with disabilities, including students and parents, of the availability of auxiliary aids and assistance to ensure effective communication with respect to school programs and activities. The process will, at a minimum, be published on the District's website, in student and parent handbooks, and in any District-wide or school-based newsletters;
 - f. a process for identifying the auxiliary aids or other type of assistance that will be provided to an individual with a disability, giving primary consideration to the individual's request;
 - g. a statement that, generally, the District will accept an individual's assertion that he or she needs communication assistance without requiring additional corroboration;
 - h. a process that ensures that each school building has a centralized list of students and parents identified as needing communication assistance, the type of services that each parent needs, and a log of the communication assistance services provided to

each parent by date of service, type of service (e.g., American Sign Language interpreter services, TTY or other voice-to-text services, internet-based relay services, etc.), and service provider (including name, position, and qualifications). The process will ensure that the list is provided to all staff in the building that may interact with these parents, as well as to the central administration. Staff for purposes of this Agreement will include all relevant administrators, teachers, counselors, and support staff;

- i. a process that ensures that the central administration maintains a District-wide list of parents and students identified by each building as needing communication assistance services, the type of communication assistance services that they need, and a log of the specific assistance services provided to them by the central office by date, type of service, and service provider;
 - j. a process by which District staff may obtain, in a timely manner, appropriate, qualified sign language interpreters as needed, for student, parent, and third-party communication; and
 - k. a process to ensure that interpreters have knowledge of any specialized terms or concepts specific to the District program or activity for which they are providing services, including, but not limited to interpreters for individualized education program (IEP) meetings who have knowledge of special education terminology.
2. Within 90 calendar days of OCR's approval of the District's procedures referenced in Action Step 1 above, the District will:
- a. adopt and implement the OCR-approved procedures, publish them on its website, and include a reference to them in its student and employee handbooks, if any. 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 OCR-approved procedures and where a copy may be obtained by means that are designed to reach each student, parent, and guardian. Such means could include email, placing a notification in any regularly issued District newsletters or bulletins or sending a notice or a copy of the procedures home with each student;
 - c. provide a copy of the procedures to all District staff and administrators; and
 - d. provide training to all District staff and administrators on the OCR-approved procedures, as well as training on the requirements of Section 504 and Title II with respect to communicating with individuals with disabilities. This training must be provided by an individual with expertise in Section 504 and Title II.

Reporting Requirements: By **June 30, 2018**, the District will submit its revised effective communication procedures pursuant to Action Step 1 above to OCR for review and approval.

Within 90 calendar days of the District's receipt of OCR's approval of the procedures, the District will submit information to OCR documenting implementation of Action Step 2,

including: a description of the means used to provide notice to students, parents, and guardians of the OCR-approved 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; a copy of the training agenda; copies of training materials used; the name, title, and qualifications of the person(s) who provided the training; and sign-in sheets showing the names and job titles of all persons who attended each training.

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 Section 504 and its implementing regulation at 34 C.F.R. § 104.4 and Title II and its implementing regulation at 28 C.F.R. §§ 35.130 and 35.160, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close this case.

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 sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the District's representative below.

/s/

6/18/2018

Superintendent or Designee

Date