

**Resolution Agreement
Anchor Bay School District
OCR Docket No. 15-15-1039**

Anchor Bay School District (the District) submits the following agreement to the U.S. Department of Education, 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 (Section 504), 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 action steps:

- I. By May 29, 2015, the District will send a memorandum to all preschool program administrators and staff advising them that the District will not, on the basis of disability, exclude any qualified person with a disability from its preschool programs. The memorandum will also advise administrators and staff that the District shall take into account the needs of such persons enrolled in its preschool program in determining the services to be provided to them.

REPORTING REQUIREMENT: By May 29, 2015, the District will provide OCR with a copy of the memorandum and proof that it sent the memorandum to all administrators and staff of its preschool programs.

- II. By May 29, 2015, the District will incorporate a statement into any published description of its preschool programs including, but not limited to, any course guide, website listing, newsletters, etc., that it will not exclude any qualified person with a disability from any of its preschool programs on the basis of disability.

REPORTING REQUIREMENT: By May 29, 2015, the District will provide OCR with a copy of any published description of its preschool programs demonstrating that it now includes the language required in Item II.

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. § 104.38, which was at issue in this investigation.

The District understands that OCR will not close the monitoring of the Agreement until OCR determines that the recipient has fulfilled the terms of the Agreement and is in compliance with Section 504 and its implementing regulation, at 34 C.F.R. § 104.38.

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 authorized designee

05/12/2015

Date