

**Resolution Agreement
East Detroit Public Schools
OCR Docket #15-15-1375**

East Detroit Public Schools (the District) agrees to resolve the allegations of discrimination on the basis of disability contained in complaint #15-15-1357 filed with the U.S. Department of Education, Office for Civil Rights (OCR). The District submits this Resolution Agreement (the Agreement) to ensure compliance with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104.

REMEDIES

1. By April 1, 2016, after providing proper written notice to the Student's parent/guardian, the Student's Individualized Education Program (IEP) team will meet to:
 - A. Conduct a xxxxxxxxxxxxxxxx xxxxxxxxxxxxxxxx xxxxxx to determine whether the xxxxxxxxxxxx that led to the Student's xxxxxxxxxxxx from xxxxx xx xxxx to xxxx x xxxx, were caused by the Student's disability. To the extent that the team determines that they were, the District should remove any xxxxxxxxxxxx notation from the Student's record; and
 - B. Determine whether any further re-evaluations of the Student are necessary to supplement those conducted during the 2015-2016 school year. The team should specifically consider the Student's xxxxxxxxxxxx needs. If the team determines that further evaluation is needed, the team should arrange for those evaluations to occur by May 1, 2016.

2. By May 1, 2016, after providing proper written notice to the Student's parent/guardian, the Student's IEP team should meet to:
 - A. Review all evaluations completed as a result of determinations in paragraph 1.B above;
 - B. Revise the Student's IEP to the extent necessary to incorporate information from any newly conducted evaluations; and
 - C. Determine a plan of compensatory education and/or remedial services due to the Student as a result of any education or services she was denied during the period of xxx xx xxxx to xxxx xx xxxx – in which she attended only a xxxxxx xxxxxx xxx – as well as any days from xxxxx xx xxxx to xxxx x xxxx, that she received xxxxxxxxxxxx for xxxxxxxxxxxx caused by her disability as determined in the xxxxxxxxxxxxxxxx xxxxxxxxxxxxxxxx meeting above.

The IEP team will develop a written plan for providing the Student with the compensatory education or other remedial services deemed necessary, and will identify the nature and amount of the services to be provided at no cost to the Student's parents, by whom, and when. The District will provide the Student's parents with a meaningful opportunity to provide input into these determinations, notice of the determinations made, and notice of the applicable procedural safeguards, including their right to challenge such determinations through an impartial due process hearing should they disagree.

Reporting Requirements: By May 15, 2016, the District will submit to OCR documentation showing implementation of Paragraphs 1 and 2 above, including a copy of any correspondence with the family; a copy of any meeting minutes, list of attendees, and evaluation results; the result of the xxxxxxxxxxxxxxxx xxxxxxxxxxxxxxxx; proof that xxxxxxxxxxxxxxxx has been removed from the Student's record, if found to be caused by her disability; a copy of any plan developed for the Student; copy of revised IEP; 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 paragraphs 1 and 2. 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 October 1, 2016, the District will further provide documentation to OCR of the dates, times, and locations that the compensatory education or other remedial services were provided to the Student, including the name(s) and title(s) of the service provider(s).

3. By October 1, 2016, the District will provide training regarding the District's policies and procedures for the identification, evaluation, placement, and discipline of students under Section 504 to all District teachers, administrators, and other staff involved with such identification, evaluation, placement, and discipline.

Reporting Requirement: By October 1, 2016, the District will submit to OCR documentation of its compliance with Paragraph 3, including a copy of all training materials used or distributed during the trainings and an outline of what was covered in the training if not self-evident from the materials; the names, titles, and qualifications of the individuals who conducted the training; and a list of all staff members trained.

GENERAL REQUIREMENTS

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. § 104.35(a) and (d) 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 the regulations implementing Section 504, at 34 C.F.R. § 104.35(a) and (d), which was at issue in 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.

_____/s/_____
Superintendent or designee

_____3/2/16_____
Date