

**Resolution Agreement
Troy School District
OCR Docket #15-16-1101**

Troy School District (the District) submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to ensure compliance with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104 (Section 504) 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 (Title II). The District agrees to implement the actions described below. [This Agreement is not, and should not be construed as, a finding or admission of any wrongdoing or violation by the District.](#)

Action Steps

1. By ~~September 30, 2016~~[January 31, 2017](#), the District will adopt or revise its ~~policy and~~ procedures for cocurricular and extracurricular activities and field trips to include and require the following:
 - a. specific, reasonable timeframes prior to the activity when permission slips must be distributed to parents or guardians for signature;
 - b. specific, reasonable timeframes for when a parent or guardian must return a permission slip, which must apply to all parents, and should incorporate any lead time the District requires to obtain accessible transportation for students with disabilities;
 - c. clear notice of the timeframes for the parent or guardian to return the permission slip incorporated into the permission slip form and any prior notification regarding field trips;
 - d. notice to parents or guardians that failure to return the permission slip within the stated time limit may result in the student's inability to attend the field trip, [although the District will make every effort to arrange accessible transportation on shorter notice;](#)
 - ~~e. notice to parents of students with disabilities regarding the importance of turning in permission slips on time so the District can arrange accessible transportation, as well as notice that, while the District will make every effort to arrange accessible transportation for cocurricular and extracurricular activities and field trips on shorter notice, the failure to provide adequate advance notice may prevent the District from providing such transportation; and~~
 - ~~f.e.~~ a written record of all of the District's field trips that includes the date of parental notification, the actions taken to secure transportation, and, if any problems arise regarding the provision of accessible transportation, a detailed description of the problem and the resolution of the problem.

Reporting Requirements:

- a. By ~~September 30, 2016~~[January 31, 2017](#), the District will submit the above-referenced ~~revised policy and~~ procedures to OCR for its review and approval.

b. Within 30 calendar days of OCR's approval of the ~~policy and~~ procedures, the District will adopt the ~~policy and~~ procedures, and publish them ~~on the District's website and~~ in any staff, student and parent handbooks, and submit documentation to OCR confirming that it has done so. Inserts may be used in any hard copy handbooks until they are republished.

~~b.~~ By ~~May 31~~ August 31, 2017, ~~the District~~ will revise its policies to incorporate the revised field trip procedures, and provide for equal access to field trips for individuals with disabilities.

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c.

d. By ~~January 31, 2017~~ May 31, 2017, the District will provide OCR with a copy of the written record of District field trips that it has maintained up through that date and verification of the accessible transportation provided as needed to students with disabilities.

~~e., including any notices sent to parents of students with disabilities regarding each field trip and verification of accessible transportation provided as needed to students with disabilities.~~

- 2. Within 30 calendar days of OCR’s approval of the District’s ~~policy and~~ procedures, the District will provide notification to all District staff responsible for scheduling and/or organizing cocurricular and extracurricular activities and field trips and communicating with parents regarding cocurricular and extracurricular activities and field trips of the revised ~~policy and~~ procedures.

Reporting Requirements:

By ~~January 31, 2017~~ May 31, 2017, the District will submit information to OCR documenting implementation of item 2, including: the date(s) of the notification(s) and a copy of the notification.

~~By October 30, 2016~~ February 28, 2017, ~~†~~ The District will provide training on Section 504, Title II, and the District’s revised ~~policy procedures~~ referenced in Item #1 above to the District’s transition coordinator, and any other District staff involved in arranging cocurricular and extracurricular activities and field trips for students. The training will be provided by ~~an individual with expertise with building principals, who have specialized training~~ in Section 504 and Title II, and will cover, at a minimum, Section 504 and Title II’s prohibition against discrimination against students with disabilities, and the District’s obligation to provide nonacademic and extracurricular services and activities in such a manner as is necessary to provide students with disabilities an equal opportunity to participate in such services and activities.

3.

Reporting Requirements:

~~3.~~ By ~~November 15, 2016~~ March 15 ~~January 531, 2017~~, the District will provide OCR for its review and approval the name, title and qualifications of each individual who will present the training referenced in item #3, the dates of the training, and a copy of any materials that will be used or referenced during the training.

Within 30 days of OCR’s approval, the District will provide documentation demonstrating its compliance with the remaining provisions of Item #3, including the dates that the training took place, and a sign-in sheet with the names and titles of the District staff who attended the training.

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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. §§ 104.4(a), 104.4(b)(1)(ii), and 104.37(a) and Title II and its implementing regulation at 28 C.F.R. §§ 35.130(a) and 35.130(b)(1)(ii), which were at issue in this case.

The District understands that, by signing this Agreement, the District 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. §§ 104.4(a), 104.4(b)(1)(ii), and 104.37(a) and Title II and its implementing regulation at 28 C.F.R. §§ 35.130(a) and 35.130(b)(1)(ii).

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.~~

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/s _____ 9/30/2016

Superintendent
Troy School District

Date

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