

**Resolution Agreement
Batavia Local School District
OCR Docket #15-16-1416**

The Batavia Local School District (the District) voluntarily submits the following Agreement (the Agreement) to the U.S. Department of Education's Office for Civil Rights (OCR) to ensure 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, as well as Title II of the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. §12131 *et seq.* and its implementing regulation at 28 C.F.R. Part 35, and to resolve the above-referenced complaint. This Agreement has been entered into voluntarily and does not constitute a finding or an admission that the District is not in compliance with Section 504 or Title II and their implementing regulations or any other federal, state, or local laws. Accordingly, the District agrees to take the following actions:

1. The District will post a statement on an easily located portion of its website, notifying beneficiaries that the District provides disability-related accommodations for parents, members of the public, and other participants in its program, services, and activities and notifying them of the name and/or title, office address, and telephone number of a person an individual may contact at the District to make a request for such services.

Reporting Requirement

By June 30, 2018, the District will provide OCR with the web address of the notice added to its website per Item 1 of the Agreement.

2. By June 30, 2018, the District will revise and submit to OCR for review and approval its policies and procedures regarding the use in the District of service animals by students, employees, parents or guardians, members of the public, participants in services, programs, or activities, and invitees with disabilities to ensure that the policies and procedures are consistent with the Section 504 implementing regulation at 34 C.F.R. § 104.4 and the Title II implementing regulation at 28 C.F.R. §§35.104, 35.130, and 35.136.
3. Within 90 school days of receipt of the OCR-approved policies and procedures developed pursuant to Item II.1 above, the District will: adopt the OCR-approved policies and procedures; publish them on the District's website, along with a link that provides ready access to the policies and procedures; notify parents, guardians, and beneficiaries, by effective means such as inclusion in District newsletters and District wide-e-mail, of the policies and procedures and of where a copy may be obtained; and notify staff of the revised policies and procedures by distributing a memorandum to staff electronically or by including them in a staff meeting or in-service training.

Reporting Requirements

By June 30, 2018, the District will submit to OCR for review and approval its revised policy and procedures pursuant to Item II.1.

Within 90 school days of receipt of an OCR-approved policy, the District will submit information documenting its implementation of Item II.2 above, including a link to the policies and procedures on any District website, copies of the written notification issued to parents and guardians, and an explanation of how staff were notified of the revised policies and procedures, along with a copy of all written notices, if any.

GENERAL REQUIREMENTS

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 the Agreement.

Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the recipient, interview staff, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of the Agreement. Upon the District’s satisfaction of the commitments made under the Agreement, OCR will close the 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 will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/

9/3/2018

Superintendent

Date