

Walled Lake Consolidated Schools
Resolution Agreement
OCR Docket #15-17-1019

Walled Lake Consolidated Schools (the District) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), for the purpose of resolving the above-referenced complaint and ensuring 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 (Title II), 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35.

This Resolution Agreement is not, and should not be construed, as an admission of liability or wrongdoing by the District.

The District agrees to take the following actions:

1. By **September 30, 2020**, the District will send written notification to the Student's parents, inviting them to reapply for the Student to enroll in the District through the School of Choice Program (the Program) for the 2021-2022 school year, on the same terms and conditions as all other Program students, and that the District will approve the application, provided it is promptly submitted. The notice will state that Section 504 and Title II prohibit recipients of federal financial assistance, including the District, from retaliating against individuals who raise complaints or otherwise seek to enforce rights pursuant to Section 504 or Title II.

Reporting Requirement: By **October 15, 2020**, the District will provide OCR with documentation showing that the District implemented Item 1. By **February 28, 2021**, the District will notify OCR whether the Student reapplied to enroll in the District for the 2021-2022 school year, and the District's response.

2. By **January 15, 2021**, the District will provide District administrators and personnel, including the Superintendent, Deputy Superintendent, the Director of Special Services, and each school principal, with training on Section 504 and Title II's prohibition against retaliation. The training will be conducted by an individual with expertise in Section 504 and Title II and will cover, at a minimum, the rights of individuals to engage in activities protected by Section 504 and Title II, and information regarding Section 504's and Title II's prohibition against districts intimidating, threatening, coercing or discriminating against any individual for the purpose of interfering with any right or privilege secured by Section 504 or Title II or because an individual has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under those laws. The training will provide examples of the types of retaliatory conduct prohibited by Section 504 and Title II.

Reporting Requirement: By **December 15, 2020**, the District will submit for OCR's review and approval a copy of its proposed training materials it intends to use to implement Action Step 2, along with the name and qualifications of the proposed trainer demonstrating that he/she is a competent authority on Section 504 and Title II. After OCR's approval of the training materials and trainer qualifications, and **by no later than January 30, 2021**, the

District will provide OCR with documentation showing that Item 2 has been implemented. The documentation will include the date(s) of the training(s); copies of the agenda and any training materials distributed; and a copy of the sign-in sheets of attendees, indicating their names and job titles.

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 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 and obligations 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 proceedings to enforce the specific terms and obligations of the Agreement and/or applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

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

Superintendent or Designee

Date