

**Resolution Agreement  
Oakridge Public Schools  
OCR Docket #15-17-1218**

The Oakridge Public 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 ensuring compliance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 (Section 504), 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.* (Title II), and its implementing regulation at 28 C.F.R. Part 35, and to resolve the above-referenced complaint. By entering this Agreement, the District makes no admission of any violations of law. Accordingly, the District agrees to take the following actions:

**Action Item 1 – Individual Remedy**

By **November 15, 2017**, the District will convene the Student’s Individualized Education Program (IEP) team, and will invite the Student, XXX XXX XXXXXXXX XXX XXX XX XXXXXXXX, or the Student’s parents, XX X XXXXX XXXXXXX XXXXXXX XXXXX XXXX, to clarify the provision of the IEP entitling the Student XX X XXXX XXXX XX XXX XXXXXXX. The team will then determine whether the Student is entitled to compensatory education or other remedial services for the XXXX-XXXX school year, based on the District’s provision XX X XXXX XXXXXXX XX XXXX XXXXXXX during the XXXX-XXXX school year. This should include a determination of whether any XXXXXXXX the Student received during the XXXX-XXXX school year was a result of the District’s failure to provide XX XXXXXXX XXXX XXXXXXX and thus should be removed from the Student’s record. The team will develop a written plan for providing the Student with the compensatory education or other remedial services deemed necessary. The written plan will identify the nature and amount of the services to be provided at no cost to the Student, by whom, and when, and will become part of the Student’s IEP. The plan will also identify any XXXXXXXX the team determined should be removed from the Student’s record. The District will provide the Student, or the Student’s parents, XX X XXXXX XX XXXXXXX XX XXXXXXX, with a meaningful opportunity to provide input into these determinations, notice of the determinations made, and notice of the procedural safeguards available to them under 34 C.F.R. § 104.36, including their right to challenge such determinations through an impartial due process hearing should they disagree.

**Reporting Requirements:**

- a) By **December 15, 2017**, the District will submit to OCR documentation showing implementation of Action Item 1 above, including a copy of any meeting minutes, a copy of any revised IEP developed for the Student, documentation of any input provided by the Student or her parents and documentation that procedural safeguards were provided, and any other documentation relevant to the determinations reached in accordance with Action Item 1 above. Should the District determine that no compensatory education or other remedial services are necessary; the District will provide a written explanation of the reasons for that determination, along with any supporting documentation. 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.

- b) By **February 16, 2018**, the District will provide documentation to OCR of the dates, times, and locations that compensatory and/or remedial services were provided to the Student, including the name(s) and title(s) of the service provider(s), a description of what was provided, and the name(s) of the service provider(s), as well as, if applicable, a copy of the Student's XXXXXX XXXXXX XX XXXXX XXXX XXXXXXXX that was removed.

### **General Requirements**

The District understands that by signing this Agreement it agrees to provide the foregoing 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. § 104.33. Upon completion of the obligations under this Agreement, OCR shall close 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.

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

/s/

\_\_\_\_\_  
Superintendent or designee

October 2, 2017

\_\_\_\_\_  
Date