

**Akron Public Schools
Resolution Agreement
OCR Docket #15-17-1472**

Akron 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 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.

The District agrees to take the following actions:

1. By September 15, 2020, the District will issue a written directive to staff responsible for enrolling students in the District's [redacted] School and will copy District staff responsible for evaluating students under Section 504. The directive will state that, if the parent or guardian enrolling the student shares information with the District that the enrolling student has an Individualized Education Program (IEP), Section 504 plan, Behavior Intervention Plan (BIP), or a similar plan or a medical diagnosis that may mean that the student has a physical or mental impairment that might substantially limit a major life activity, the staff person will forward the information to District staff responsible for evaluating students under Section 504, who will determine whether or not the student should be evaluated pursuant to Section 504. The directive will include the name(s), title(s), e-mail address(es) and telephone number(s) of District staff responsible for evaluating students under Section 504.
2. By September 15, 2020, the District will issue a written directive to the executive director, principal/special education coordinator, transition coordinator, teachers and case managers at the YMCA Phoenix Program at Barrett and will copy District staff responsible for evaluating students under Section 504. The directive will state that, if a student placed at Phoenix by the District, or the parent or guardian of such a student, shares information with Phoenix staff that the student has a diagnosis that may mean that the student has a physical or mental impairment that might substantially limit a major life activity, the staff person must forward the information to District staff responsible for evaluating students under Section 504, who will determine whether or not the student should be evaluated pursuant to Section 504. The directive will include the name(s), title(s), e-mail address(es) and telephone number(s) of District staff responsible for evaluating students under Section 504.

Reporting Requirement: By September 30, 2020, the District will provide OCR with documentation showing that the District implemented Items 1 and 2 (e.g., a copy of the directives and information showing to whom they were sent).

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.

_____/s/_____
Superintendent or Designee

_____/4/13/20_____
Date