

**Resolution Agreement  
Sturgis Public Schools  
OCR Docket No. 15-17-1563**

Sturgis Public Schools (the District) submits the following agreement to the U.S. Department of Education, Office for Civil Rights (OCR), to ensure the District's 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; 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; and Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106. Accordingly, the District agrees to take the following actions to resolve the above-referenced complaint:

**I. Revisions to Grievance Procedure**

- A. By March 31, 2018, the District will revise and submit to OCR for review and approval its grievance procedure applicable to complaints alleging violations of Section 504, Title II, and Title IX, to ensure that it provides, at a minimum:
1. notice to students, parents, and employees of the procedure, including where complaints may be filed and how they may be filed, including notice of an alternate person if the person with whom the complaint is filed is alleged to have been involved in the discrimination/harassment;
  2. clarification that all complaints of alleged disability or sex discrimination, including disability or sexual harassment, carried out by employees, other students, or third parties may be filed under the District's grievance procedure;
  3. adequate, reliable, and impartial investigation of complaints, including the opportunity to identify witnesses and other evidence;
  4. designated and reasonably prompt timeframes for the major stages of the complaint process;
  5. assurance that the District will take steps to prevent recurrence of any discrimination found to have occurred and to correct its discriminatory effects on the complainant and others, if appropriate;
  6. notice to the parties of the outcome of the complaint;
  7. clarification that any informal resolution mechanisms are voluntary and that the complainant must be notified of the right to end the informal process at any time and begin the formal stage of the complaint process; and

8. the opportunity for both parties to appeal the outcome of an investigation, should the District choose to include an appeal process.
- B. Within 30 calendar days of receiving the OCR-approved revised grievance procedure, the District will adopt and implement it.

**REPORTING REQUIREMENT:** By March 31, 2018, the District will provide OCR with its revised grievance procedure, and, within 30 calendar days after receiving the OCR-approved revised grievance procedure, the District will submit documentation to OCR to verify that it has adopted and implemented the revised grievance procedure.

## **II. Notification, Publication, and Training**

Within 60 calendar days after adopting the revised grievance procedure as set forth in Item I above, the District will:

- A. publish its revised grievance procedure on the District website; update its printed publications and online publications with the revised documents (inserts may be used pending routine reprinting of these publications), including deleting or revising any documents that conflict with the revised grievance procedure; and electronically or otherwise disseminate the revised grievance procedures to students, parents, employees, and other appropriate District community members; and
- B. provide training to those District administrators and staff responsible for investigating grievances on the District's revised procedure.

**REPORTING REQUIREMENTS:** Within 60 calendar days after adopting the revised grievance procedure as set forth in Item I above, the District will submit to OCR documentation to verify that it implemented Item II, including but not limited to a copy of the notice sent, the link to the grievance procedure on the District's website, documentation of other revised publications, and any agendas, outlines, or handouts, along with sign-in sheets from the training provided to relevant administrators and staff. Within 180 calendar days after adopting the revised grievance procedure, the District will submit to OCR a copy of any grievances filed with the District under the procedure and documentation of the District's response to each grievance.

## **III. 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. § 104.7(b), Title II and its implementing regulation at 28 C.F.R. § 35.107(b), and Title IX and its

implementing regulation at 34 C.F.R. § 106.8(b). Upon completion of the obligations under this Agreement, OCR will 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/

March 20, 2018

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

\_\_\_\_\_  
Date