

**Edgewood City School District  
Resolution Agreement  
OCR Docket #15-18-1033**

Edgewood City School District (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 alleging violation of 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.

**I. INDIVIDUAL REMEDIES**

- A. By XXX, 2018, the District will convene a meeting with the principal, the Parent and other school officials who will support Student in order to develop an interim plan to integrate Student's XXX for the remainder of the school year. The plan will include a description of the XXX XXX XXX as well as protocols and procedures to be followed when XXX XXX XXX. The plan will also include a list of XXX XXX XXX. This interim plan may be modified or replaced by the Student's Section 504 team as appropriate to satisfy Item I.E of this resolution agreement.
- B. By XXX, 2018, the District will convene the Student's Section 504 team, which includes the Student's parent(s) and/or guardian(s) to review Student's Section 504 plan and determine the services the Student needs to receive a free appropriate public education in accordance with the requirements of the Section 504 implementing regulation at 34 C.F.R. §§ 104.34 – 104.35. The Student's Section 504 team will revise the Student's Section 504 plan accordingly. The services will be set forth clearly in writing in the plan. At a minimum, the plan will include:
1. description of the specific protocol and procedures to be followed with respect to the Student's XXX, including identification of the school staff responsible for those activities, location of such activities, timeframes for such activities, and protocol for responding to XXX;
  2. description of the specific protocol and procedures to be followed in response to the XXX XXX XXX. This should include specific directives for how staff will respond to XXX, who will be responsible for such response, and location of any responsive activities;
  3. a listing of any modifications the team determines are appropriate and how they will be provided (ex. XXX XXX XXX, etc.);
  4. a specific description of the emergency protocol for addressing XXX.
- C. The District will provide the Student's parents and/or guardians with a meaningful opportunity to provide input into the decisions made pursuant to A.1-4, notice of the ultimate determinations of the team about services, and notice of procedural safeguards available.

- D. Within 15 days after the start of the 2018-2019 school year, the District will provide training on the Student's XXX and the implementation of XXX plan, including information about the requirements of Section 504, to all staff who will be working with the Student, including any substitute XXX who are known at that time.
- E. Within 15 days after the start of the 2018-2019 school year, the District will convene a meeting of school administrators, the Student's parent(s) and/or guardian(s), and all staff who will be working with XXX XXX XXX, in all settings and for all school activities in which the Student participates, both academic and nonacademic, including field trips and after school/extracurricular activities. The group will develop a plan to ensure the provision of support and services to integrate XXX into the school environment and school activities, and will designate staff who will be trained to assist and support the integration.

### **REPORTING REQUIREMENTS:**

By September 30, 2018, the District will submit documentation to OCR showing implementation of items A. and B. 1.-4. including: (i) documentation showing when the meeting took place, who was present, what was discussed, and a copy of any Section 504 plan developed for the Student; (ii) copies of any meeting minutes; (iii) documentation of any input provided by the Student's parents (v) a copy of the notification and notice of Section 504 procedural safeguards provided to the Complainant; and (vi) any other documentation relevant to Item A.

By September 30, 2018, the District will submit documentation to OCR showing implementation of item C above, including: date(s) of the training provided, sign-in sheets with the name and job title of each staff member who attended, names, titles and qualifications of the individuals who conducted the training, a copy of any materials used or distributed during the training, and an outline of what was covered if not self-evident from the training materials.

By September 30, 2018 the District will submit documentation to OCR showing implementation of item D above, including: a list of meeting attendees (including position with the District), a copy of the plan that the group develops, and a copy of any notes, agendas, and/or minutes taken at the meeting.

### **II. DISTRICT-WIDE REMEDIES**

- A. By XXX, 2018, the District will provide training to the staff at the Student's school by a person(s) knowledgeable about and who has experience XXX XXX XXX and/or a person(s) knowledgeable about the requirements of Section 504 and Title II regarding XXX. The training will include a question and answer period.
- B. By XXX, 2018, the District will provide an assembly to all students at the Student's school about XXX. The assembly will include an age-appropriate discussion of the role of XXX and appropriate behavior when students or staff come into contact with a person XXX.

## **REPORTING REQUIREMENTS**

By October 31, 2018, the District will provide OCR with documentation to demonstrate its implementation of paragraph II. A. above, including: date(s) of the training provided, sign-in sheets with the name and job title of each staff member who attended, names, titles and qualifications of the individuals who conducted the training, a copy of any materials used or distributed during the training, and an outline of what was covered if not self-evident from the training materials.

By October 31, 2018, the District will provide OCR with documentation to demonstrate its implementation of paragraph II. B. above, including: the date of the assembly, a list of the classes of students who attended the assembly, the name and brief description of the qualifications of the assembly presenter, and any materials distributed during the assembly.

### **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. § 104.4, and Title II and its implementing regulation at 28 C.F.R. §§ 35.130 and 35.160. 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.

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