

**Windemere Park Charter Academy
Resolution Agreement
OCR Docket ##15-17-1381; 15-18-1054**

Windemere Park Charter Academy (the Academy) 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 complaints 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, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance, 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, which prohibit discrimination on the basis of disability by public entities. This Agreement is entered into voluntarily by the Academy before the completion of OCR’s investigation and any issuance of findings and does not constitute an admission that the Academy violated Section 504 and Title II and those statutes’ implementing regulations. Rather, the Academy’s decision to enter into this Agreement is indicative of its desire to compromise and amicably resolve the allegations raised in the complaints.

The Academy voluntary agrees to take the following actions:

A. Individual Remedies

1. [X---paragraph redacted---X]

REPORTING REQUIREMENTS:

- (1) [X---paragraph redacted---X]
- (2) [X---paragraph redacted---X]

2. [X---paragraph redacted---X]

[X---paragraph redacted---X]

[X---paragraph redacted---X]

REPORTING REQUIREMENTS:

[X---paragraph redacted---X]

[X---paragraph redacted---X]

[X---paragraph redacted---X]

REPORTING REQUIREMENT: [X---paragraph redacted---X]

B. Academy-wide Remedies

1. By **February 28, 2019**, the Academy will provide training to all administrative staff members, including those working at the Academy’s management organization on behalf of the Academy, regarding the Academy’s Section 504 grievance procedures for complaints alleging disability discrimination, including the operating procedures and practices in relation to implementing the grievance procedures as well as the response to complaints communicated through the Academy’s parent relations department and social media. The training will be provided by a qualified person or an online training vetted by said qualified person.

REPORTING REQUIREMENT: By **February 28, 2019**, the Academy will provide OCR with documentation (training agendas, materials, the name and qualifications of the trainer, and a list of attendees) showing that the Academy implemented Item B.1 of the Agreement.

2. By **February 28, 2019**, the Academy will provide training for all special education staff associated with or acting on behalf of the Academy and all Academy staff who implement IEPs and Section 504 plans regarding the requirements of Section 504 and Title II with respect to students with disabilities, including identification, evaluation, placement, and implementation of IEPs and Section 504 plans for students with food allergies, as well as the need to reasonably modify existing policies, such as attendance policies, for students with disabilities. The training will also remind Academy staff of Section 504 and Title II’s prohibition on retaliation. The training will be provided by a qualified person or an online training vetted by said qualified person.

REPORTING REQUIREMENT:

By **February 28, 2019**, the Academy will provide OCR with documentation (training agendas, materials, the name and qualifications of the trainer, and a list of attendees) showing that the Academy implemented Item B.3 of the Agreement.

General Requirements

The Academy 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 Academy understands that during the monitoring of this Agreement, if necessary, OCR may visit the Academy, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Academy has fulfilled the terms of the Agreement. Upon the Academy’s satisfaction of the commitments made under the Agreement, OCR will close the case.

The Academy understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before

initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce the Agreement, OCR will give the Academy 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 Academy’s representative below.

/s/

11/6/18

Principal or Designee

Date