

**Urbana City School District
Resolution Agreement
OCR Docket #XXXXXXXXXX**

The Urbana 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 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.

The District agrees to take the following actions:

1. By XXXXXXXXXXXXXXXX, the District will convene a group of individuals knowledgeable about the Student to determine whether, for the XXXXXXXXXXXX school, the Student required special education or related services because of XXXXXXXXXXXXXXXX which are defined under Section 504 as XX XXXXX. The District will invite the Student, in writing, to attend the meeting and will provide a reasonable date by which the Student shall respond.
 - a. If the Student chooses not to attend the meeting or declines to respond by the deadline, the District is not required to convene the Student's Section 504 team. The District will notify the Student in writing that the meeting will not be held.
 - b. If the Student chooses to attend the meeting, the Team will determine what compensatory education or other remedial services the Student requires for the XXXXXXXXXXXX school year as a result of the District's failure to timely evaluate the Student to determine whether or not XXXXX a qualified individual with a disability under Section 504, including compensatory education or other remedial services necessary to compensate the Student for the 13 days that XXXX was could not attend school, due to her disability and will develop a written plan for providing the Student with the compensatory education or other remedial services deemed necessary pursuant to Action Step 1(a) above. The plan should identify the nature and amount of the services to be provided at no cost to the Student's parent(s), by whom, and when.

REPORTING REQUIREMENTS: By XXXXXXXXXXXX, the District will provide OCR with documentation to demonstrate its implementation of Action Step 1 above, including: (i) copies of the District's efforts to schedule a meeting with the Student and the Student's response; (ii) copies of any notes or related documents from the meeting showing when the meeting occurred, who was present, what was discussed, the determinations made and the bases for those determinations, and (iii) a copy of any plan developed for the Student. Should the District determine that either the Student did not

have a disability under Section 504 during the relevant time period or that no compensatory education or other remedial services are necessary, the District will provide a written explanation of the reasons for those determinations, 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.

The District will submit documentation to OCR by XXXXXXXXXXXXXXXX verifying that it provided the Student with the compensatory education, including the dates, times, and locations that the compensatory education or other remedial services were provided to the Student, including the name(s) and title(s) of the service provider(s).

2. By XXXXXXXXXXXXXXXX, the District will provide Section 504 training, by a competent authority on Section 504, to all of its administrators, Section 504 coordinators, and staff members who are responsible for the identification, evaluation, and placement of students with disabilities. At a minimum, the training will cover the District's responsibilities regarding identification, evaluation, and placement procedures required by Section 504 and its implementing regulation at 34 C.F.R. §§ 104.34, 104.35, and 104.36 and will specifically address the definition of a major life activity, that major life activities may be intermittent and that disabilities may not be accommodated outside the Section 504 process. The training will also emphasize that the related aids and services provided pursuant to Section 504 must be based on the student's individual needs and could include, in some instances, home instruction, although reevaluation is required prior to any significant change in the student's placement. Finally, the training will cover the District's obligations under 34 C.F.R. §§ 104.4 and 104.22(a) not to exclude qualified persons with disabilities from accessing its program.

REPORTING REQUIREMENT: By XXXXXXXXXXXXXXXX the District will submit for OCR's review and approval a copy of its proposed training materials to implement Action Step 2, along with the name and qualifications of the proposed trainer demonstrating that he/she is a competent authority on Section 504 and Title II. Within 60 calendar days after OCR's approval of the training materials and trainer qualifications, the District will provide OCR with documentation showing that Action Step 2 has been implemented. The documentation will include information about the date(s) of the training(s), copies of the agenda and any training materials distributed, and a copy of the sign-in sheets of attendees, indicating name and job title.

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 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 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 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.

Superintendent or Designee

Date