

# UNITED STATES DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS, REGION XV

REGION XV MICHIGAN OHIO

1350 EUCLID AVENUE, SUITE 325 CLEVELAND, OH 44115

# Western Reserve Local School District Resolution Agreement OCR Docket #15-18-1325

Western Reserve Local 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, 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:

## **Action Steps**

# **Reporting Requirement:**

- A. By October 15, 2021, the District will provide OCR with information documenting its compliance with Action Step 1 of the Agreement, including a copy of the letter and documentation of how the letter was sent (e.g., a copy of the email to the parent, and a record of the letter being sent by certified mail.)

District is not required to create a new program, e.g., a separate program for students with a particular disability, to provide FAPE if no such program exists in the District.

#### **Reporting Requirement:**

- A. By October 15, 2021, the District will provide OCR with a draft of its revised XXXXX XXXXX XXXXX XXXXX XXXXX for OCR's review and approval.
- 3. Within 45 calendar days of OCR's approval of the policy and regulations revised under Action Step 2 of this Agreement, the District will adopt, implement, and disseminate the approved policy and regulations including by publishing the new policy and regulations on the District's website, and in other District publications that discuss XXXXX XXXXXX, and by providing District staff involved in the XXXXX XXXXXX process with a copy of the revised policy and regulations.

## **Reporting Requirements:**

- A. Within 60 calendar days of OCR's approval of the policy and regulations revised under Action Step 2 of this Agreement, the District will provide OCR with information or documentation confirming that the policy and regulations have been adopted, published and distributed in accordance with Action Step 3 of this Agreement.
- 4. Within 60 calendar days of OCR's approval of the policy and regulations revised under Action Step 2 of this Agreement, the District will train its administrators and staff involved in the approval and denial of XXXXX XXXXX XXXXX on the revised policy and regulations. The training will also cover Section 504 and Title II's prohibition against discrimination on the basis of disability, the District's obligation to provide FAPE to each student with a disability, and Section 504 and Title II's prohibition of retaliation against individuals who raise complaints or otherwise seek to enforce rights pursuant to these laws. This training will be provided by a competent authority on Section 504 and Title II.

<sup>&</sup>lt;sup>1</sup> Should OCR approval of the procedures occur during the summer, the District will conduct the training required in Action Step 4 within 30 days of the first day of the following school year.

## **Reporting Requirements:**

- A. Within 45 days of OCR's approval of the policy and regulations revised under Action Step 2 of this Agreement, the District will submit for OCR's approval a copy of its proposed training materials (e.g., training agenda, presentation materials, handouts, pamphlets, etc.) to implement Action Step 4 of this Agreement, and the name(s), title(s), and qualifications of the proposed trainer(s).
- B. Within 75 calendar days of OCR's approval of the policy and regulations revised under Action Step 2 of this Agreement, the District will provide OCR with documentation confirming its implementation of Action Step 4, including: the date(s) of the training(s); a copy of the training agenda(s); copies of training material used; the name(s), title(s), and qualification(s) of the trainer(s), demonstrating that the trainer(s) is a competent authority on Section 504 and Title II; and copies of the signin sheets of attendees, indicating the name(s) and title(s) of the attendees.

# **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 terms and obligations of 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 60 calendar days to cure the alleged breach.

The Agreement will become effective immediately upon the signature of the District's representative below.

/s/	09/10/2021
Superintendent or Designee	Date