

**GREEN LOCAL SCHOOL DISTRICT**  
**Resolution Agreement**  
**OCR Docket #15-20-1222**

Green 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:

1. By August 28, 2020, the District will convene a group of persons knowledgeable about the Student, the Student's evaluation data, and the placement and accommodation options, including the Student's parent (the Team), to determine what compensatory education or other remedial services the Student requires as a result of the Student not receiving consistent implementation of his Section 504 plan and complete and proper evaluation and appropriate special education and/or related services during the 2019-2020 school year:
  - a. If the Team determines that the District failed to implement the Student's Section 504 plan necessary to provide the Student with a free appropriate public education (FAPE) under the requirements set forth at 34 C.F.R. § 104.33 during the 2019-2020 school year and/or failed to properly gather all information to re-evaluate the Student, the Team will determine what compensatory education or other remedial services are necessary for the Student. As applicable, the Team will draft a written plan for timely providing the Student with the compensatory education and/or other remedial services deemed necessary, with a completion date not to extend beyond May 31, 2021. The plan will identify the nature and amount of services to be provided at no cost to the Student's parent, by whom they will be provided, and when they will be provided.
  - b. If the Team determines that the District's failure to implement the Student's Section 504 plan and/or to properly gather all information to evaluate the Student affected his grades in each class during the 2019-2020 school year, then at a minimum, the Team will draft a plan to allow the Student to complete classwork and remediate each affected grade.

**Reporting Requirement:** By November 30, 2020, the District will provide OCR with documentation to demonstrate its implementation of Item 1, including: (i) copies of the District's efforts to schedule a meeting with the Student's parent and the Student's parent's response; (ii) a copy of any meetings minutes, notes, or related documents from the Team meeting showing when the meeting occurred, who was present, what was discussed, and the determinations made and the bases for those determinations; (iii) a copy of any Section 504 plan developed for the Student; (iv) a copy of any plan developed to allow the Student to complete classwork and improve each affected grade from the 2019-2020 school year; (v) a

copy of any plan for compensatory education; and (vi) any other documentation relevant to determinations reached at the meeting. If the Team determines that no compensatory education or other remedial services are necessary, the District will provide a written explanation to OCR of the reasons for that determination, along with any supporting documentation.

2. By May 31, 2021, the District will make available District staff and administrators with roles in Section 504 evaluation and placement for an in-person Section 504 training. The training will address, at a minimum, the requirements of the Section 504 regulation at 34 C.F.R., part 104, Subpart D, including the District's obligation to follow evaluation and placement procedures set forth in 34 C.F.R. § 104.35.

**Reporting Requirement:** Within 15 days of the training, the District will submit to OCR: (i) a sign-in sheet showing the names and titles of all persons who attended the training(s); and (ii) a copy of all training materials used at the training, such as PowerPoint presentations or other handouts.

### **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 commitments made under 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 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