

**Dalton Local School District
Resolution Agreement
OCR Docket #15-20-1280**

Dalton 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 **April 30, 2021**, the District will send a letter to the parents of the Students and all students with known disabilities who were denied open enrollment at XXXXXXXXXXXXXXXXXXXX for the XXXXXXXXXX school year explaining that the District is making changes to its open enrollment policy and procedures, extending the timeframe for applications until May 15, 2021, and inviting them to apply for open enrollment for the 2021-2022 school year and any future year when open enrollment is offered. The letter will also inform the parents that, if their child(ren) is enrolled in the District for the 2021-2022 school year, the District will, if desired by the parent(s), convene a meeting of the student's Individualized Education Program (IEP) or Section 504 team to discuss whether the student needs any services to assist them with the transition to the District from another school district. The District will convene any such meeting within 20 school days of the relevant student's enrollment.

Reporting Requirements: By **June 11, 2021**, the District will provide OCR with documentation showing that the District implemented Item 1, including but not limited to a certified mail receipt to each student's parent(s). By **September 30, 2021**, the District will provide OCR with documentation of any meeting(s) held pursuant to Item 1. If any parent(s) declines the offer of a meeting, the District will provide OCR with any documentation declining the offer.

2. By **June 11, 2021**, the District will implement and disseminate the open enrollment administrative guideline adopted on April 26, 2021, including on the District's website, in promotional materials, and in other publications used by the District where appropriate. The District will also train administrators and staff that implement the open enrollment policies and procedures on the revised policies and procedures.

Reporting Requirements: By **June 11, 2021**, the District will provide OCR with documentation showing that the District implemented Item 2, including a link to the new policies and procedures on the District's website, a copy of any written materials, and evidence (e.g., training agenda, slides, list of individuals in attendance) that relevant administrators and staff were trained on the new policies and procedures. By **September 30, 2021** (for the school year 2021-2022) and **September 30, 2022** (for the school year 2022-2023), the District will provide OCR documentation demonstrating compliance

with its revised and approved policies and procedures, including copies of the applications for each student with a disability who applied for open enrollment in the District during the relevant school year, documentation showing each student’s individual needs (e.g., Section 504 plan, IEP), and documentation showing whether the applicant was offered enrollment and whether the applicant enrolled. For every applicant not offered enrollment, the District will provide OCR a description of the reason(s) for not offering enrollment and documentation supporting its reason(s).

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/

Superintendent or Designee

Date