

plan for compensatory education and other remedial services. The District will also notify the Student's parent(s), in writing, of the procedural safeguards afforded to them under Section 504.

Reporting Requirement: By **June 3, 2022**, 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) copies of any 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 the plan developed for the Student; and (iv) whether the Student's current classes include any XXXXX XXXXX and if so, whether they are XXXXX XXXXX. 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.

2. By **December 31, 2022**, the District will provide the Student with those remedial services and compensatory education deemed necessary by the team.

Reporting Requirement: By **December 31, 2022**, the District will provide OCR with documentation to demonstrate its implementation of Item 2, including the dates, times, and locations that the services were provided to the Student, and including the name(s) and title(s) of the service provider(s).

3. The District will provide written notification to all Claymont High School teaching staff and administrators that: (i) Section 504, at 34 C.F.R. § 104.61, prohibits retaliation against individuals who seek to assert their rights under Section 504; and (ii) Title II, at 28 C.F.R. § 35.160, requires the District to ensure that students with hearing, vision, or speech disabilities receive communication that is as effective as communication with others through the provision of appropriate auxiliary aids and services.

Reporting Requirement: By **December 31, 2022**, the District will provide OCR with a copy of this notification and documentation demonstrating to whom it was provided and by what means (e.g., email, hard copy, etc.).

4. The District will develop a plan to inform all teaching staff, at regular intervals, of the District's obligation to provide a free appropriate public education (FAPE) to each qualified person with a disability, to implement the provisions of Individualized Education Programs (IEPs) and Section 504 plans and to ensure that all course materials are provided in accessible format to students with disabilities. The plan will include a notice to teaching staff regarding the purpose of IEPs and Section 504 plans, the requirement that IEPs and Section 504 plans be implemented as written, and a statement that teaching staff may contact the District's Section 504 coordinator with any questions about implementation of IEPs and Section 504 plans.

Reporting Requirement: By **June 3, 2022**, the District will provide OCR with a copy of the plan developed pursuant to Item 4.

General Requirements

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the Agreement and/or Section 504 and Title II and their implementing regulations, 34 C.F.R. Part 104 and 28 C.F.R. Part 35. 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 District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has demonstrated compliance with all the terms of this Agreement and is in compliance with Section 504 and Title II and their implementing regulations, 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue in this complaint.

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

/s/

04/08/2022

Superintendent or Designee

Date