

**Cleveland Heights-University Heights City School District**  
**Resolution Agreement**  
**OCR Docket #15-22-1091**

Cleveland Heights-University Heights 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, 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, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35.

This Agreement is being entered into voluntarily by the District before the completion of OCR's investigation and any issuance of any findings and does not constitute an admission that the District violated Section 504 and Title II and those statutes' implementing regulations. The District agrees to take the following actions:

1. By July 29, 2022, the District will send a letter to the Complainant offering XXX the opportunity to request, in the 2022-2023 school year, the scheduling of meetings from the XXX-XXXX school year that were held without effective ASL interpreter services or were not offered because of the need for ASL interpreter services. If the Complainant responds affirmatively, the District shall facilitate the scheduling of the requested meetings, with the appropriate communication services, before October 1, 2022.

**Reporting Requirements:** By August 31, 2022, the District will submit information to OCR documenting implementation of Step 2, including: copies of the letter to the Complainant and any written response from the Complainant, or a written description of any telephonic or in-person communication. By October 1, 2022, the District will submit information to OCR showing that the requested meetings were held or confirming that the Complainant did not request any meetings.

2. By July 29, 2022, the District will notify the Complainant in writing that it is developing a plan to ensure the District's communications with persons with disabilities are as effective as its communication with others (hereinafter referred to as the Plan, specified below). The written communication will also offer to schedule a meeting with the Complainant, either in-person, virtually, or telephonically as selected by the Complainant, by August 26, 2022, to explain the Plan to the Complainant. The meeting will address the details of how the services needed for effective communication will be requested, confirmed, and provided, to ensure that the Complainant is provided with timely information and has a limited number of knowledgeable persons to contact if XXX needs information about such services.

**Reporting Requirements:** By August 31, 2022, the District will submit information to OCR documenting implementation of Step 3, including: copies of any documentation provided to the Complainant regarding the Plan and the details of the Plan implementation; and a written description of the meeting that was held, including the date, location, manner in which it was held, and the communication services provided.

3. By August 23, 2022, the District will develop a plan (Plan) and submit it to OCR for its review and approval, to ensure that the District's communications with persons with disabilities, including applicants, participants, students, members of the public, and companions with disabilities, are as effective as its communications with others. The Plan shall include, at a minimum, the following:
  - a. the name (or title) and contact information for the District's Section 504/ADA Coordinator responsible for implementation of the Plan;
  - b. a statement that auxiliary aids and services will be provided to ensure communication in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability;
  - c. a provision that the communication policies and procedures apply to all school-related communications, including, but not limited to, notification to parents of school closings, emergency information, scheduling changes, and school events;
  - d. a process for notifying persons with disabilities, including students and parents, of the availability of auxiliary aids and assistance to ensure effective communication with respect to school programs and activities. The process will, at a minimum, be published on the District's website, in student and parent handbooks, and in any District-wide or school-based newsletters;
  - e. a process for identifying the auxiliary aids or other type of assistance that will be provided to an individual with a disability, giving primary consideration to the individual's request;
  - f. a process by which District staff may obtain, in a timely manner, appropriate, qualified sign language interpreters as needed, for student, parent, and third-party communication;
  - g. a process to ensure that interpreters have knowledge of any specialized terms or concepts specific to the District program or activity for which they are providing services, including, but not limited to interpreters for individualized education program (IEP) meetings who have knowledge of special education terminology; and
  - h. a process that ensures that each school building has a centralized list of students and parents identified as needing communication assistance, the type of services each parent needs, and a log of the communication assistance services provided to each parent by date of service, type of service (e.g., American Sign Language interpreter services, TTY or other voice-to-text services, internet-based relay services, etc.), and service provider (including name, position, and qualifications). The process will ensure that the list is provided to all staff in the building that may interact with these parents, as well as to the central administration. Staff for purposes of this Agreement will include all relevant administrators, teachers, counselors, and support staff.
4. Within 90 calendar days of OCR's approval of the Plan referenced in Action Step 4 above, the District will:
  - a. adopt and implement the OCR-approved Plan, publish it on its website, and include a reference to it in its student and employee handbooks, if any;
  - b. notify students, parents, and guardians of the OCR-approved Plan and where a copy may be obtained by means that are designed to reach each student, parent,

and guardian. Such means could include email, placing a notification in any regularly issued District newsletters or bulletins or sending a notice or a copy of the Plan home with each student;

- c. provide a copy of the Plan to all District staff and administrators; and
- d. provide training to all District staff and administrators on the OCR-approved Plan, as well as training on the requirements of Section 504 and Title II with respect to communicating with individuals with disabilities. This training must be provided by an individual with expertise in Section 504 and Title II.

**Reporting Requirements:** By August 23, 2022, the District will submit the Plan pursuant to Action Step 4 above to OCR for review and approval.

Within 90 calendar days of the District’s receipt of OCR’s approval of the Plan, the District will submit information to OCR documenting implementation of Action Step 4, including: a description of the means used to provide notice to students, parents, and guardians of the OCR-approved Plan and copies of any notices issued; the link to the Plan on the District’s website; documentation that copies of the Plan were distributed to District staff and administrators; the date(s) of the training; a copy of the training agenda; copies of training materials used; the name, title, and qualifications of the person(s) who provided the training; and sign-in sheets showing the names and job titles of all persons who attended each training.

### 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.

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Superintendent // President or Designee

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Date