

CANFIELD LOCAL SCHOOL DISTRICT
Resolution Agreement
OCR Docket #15-22-1218

The Canfield 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 Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131 *et seq.*, and their implementing regulations at 34 C.F.R. Part 104 and 28 C.F.R. Part 35.

The District agrees to take the following actions:

1. By October 17, 2022, the District will provide training by a competent authority on Section 504 and Title II on the District's obligations to students with disabilities under Section 504 and Title II. The District will provide this training to, at a minimum, administrative staff as well as teachers and coaches at the Canfield High School.
 - a. The training will include, at a minimum, the following information:
 - (i) The regulation implementing Section 504, at 34 C.F.R. § 104.37, requires recipients of federal financial assistance to provide a qualified student with a disability an equal opportunity for participation in the District's non-academic and extra-curricular services and activities. Additionally, pursuant to the Title II regulation, at 28 C.F.R. § 35.130(b)(7)(i) a public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.
 - (ii) The regulation implementing Title II, at 28 C.F.R. § 35.133, requires public entities to maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities, except for isolated or temporary interruptions in service or access due to maintenance or repairs. The Section 504 implementing regulation contains a similar requirement at 34 C.F.R. §§ 104.21.

Reporting Requirements: By September 1, 2022, the District will provide OCR with draft training materials in accordance with Item 2 for review, including the title and qualifications of the presenter(s).

By October 18, 2022, the District will provide OCR with documentation showing that Item 2 has been implemented. Specifically, the District will submit to OCR:

- a sign-in sheet showing the names and titles of administrators and teachers and coaches at the Canfield High School who received the training;

- a roster of all of the staff, including name and job title, so that OCR can cross-reference the sign-in sheet with the roster; and
- if OCR did not conduct the training, a copy of all training materials used at the training, such as PowerPoint presentations or other handouts.

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, which were at issue in this complaint.

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

 /s /
Superintendent or Designee

 07/29/2022
Date