

**Solon City School District
Resolution Agreement
OCR Docket #15-22-1240**

Solon 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 (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 October 1, 2022, the District will provide training by a competent authority on Section 504 and Title II regarding the District's obligations to students with disabilities pursuant to Section 504 and Title II. The District will provide this training to, at a minimum, teachers and administrative staff involved with the District's College Preparatory Mathematics program as well as the members of the Student's Section 504 team. The training will specifically address, but not be limited to, the District's obligation under 34 C.F.R. § 104.33 to provide a free appropriate public education (FAPE) to each qualified student with a disability in its jurisdiction and to ensure that decisions regarding the appropriateness of aids and services, or modifications to an educational program, are based on the individualized needs of a student with a disability and are made in conformity with the procedural requirements set forth at 34 C.F.R. § 104.35.

Reporting Requirement: By October 1, 2022, the District will provide OCR with documentation showing that Item 1 has been implemented. Specifically, the District will submit to OCR:

- a sign-in sheet showing the names and titles of teachers and administrators who received the training; 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.
2. By [redacted], the District will convene the Student's Section 504 team (the team), including the Student's parent(s), to determine what, if any, regular or special education and related aids and services are needed to meet the individual needs of the Student for group testing. The team will also consider whether the testing accommodations in his [redacted] class during the [redacted] school year were appropriate and designed to provide him with a FAPE given his individualized needs. If the team finds that the testing accommodations previously provided were not appropriate, the team will also determine whether the Student requires compensatory education or other remedial services. If deemed necessary, the team will develop a written plan for providing the Student with the compensatory education or other remedial services determined by the team, which will identify the nature and amount of the services to be provided at no cost to the Student's parents, by whom, and when.

The District will provide the Student’s parent(s) with a meaningful opportunity to provide input into these determinations, notice of the determinations made, and notice of the procedural safeguards available to the parent(s) under 34 C.F.R. § 104.36, including the right to challenge such determinations through an impartial due process hearing should the parent(s) disagree.

Reporting Requirements:

By June 1, 2022, the District will submit to OCR documentation showing implementation of Item 2 above, including a copy of any meeting minutes, a copy of any plan developed for the Student, documentation of any input provided by the Student’s parent(s) and showing that procedural safeguards were provided to the parent(s), and any other documentation relevant to the determinations reached in accordance with Item 2 above. If the District determined that no change to the Section 504 plan or no compensatory education or other remedial services were necessary, the District will provide a written explanation of the reasons for that determination, along with any supporting documentation. 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.

By January 1, 2023, the District will provide documentation to OCR of the dates, times, and locations that any compensatory education or other remedial services were provided to the Student, including the name(s) and title(s) of the service provider(s). The District will also submit documentation verifying the implementation of any change to the Student’s Section 504 plan related to group testing.

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/

4.28.22

Superintendent or Designee

Date