

**Detroit Public Schools Community District
Resolution Agreement
OCR Docket #15-23-1021**

Detroit Public Schools Community 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, which prohibit discrimination on the basis of disability by recipients of federal financial assistance, 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, which prohibit discrimination on the basis of disability by public entities.

The District agrees to take the following actions:

1. By **May 1, 2023**, the District will XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX.
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2. By **May 1, 2023**, the team will XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX
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3. The District will provide the Student’s parent(s) or guardian(s) with a meaningful opportunity to provide input into the determinations made pursuant to Items #1 and #2, above, notice of the determinations made, and notice of the procedural safeguards available to them under 34 C.F.R. § 104.36, including the right to challenge such determinations through an impartial due process hearing should they disagree.

Reporting Requirements:

- By **May 15, 2023**, the District will submit to OCR documentation showing implementation of Items 1-3 above, XXXXX XXXXX XXXXX XXXXX XXXXX
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XXXXX XXXXX XXXXX XXXXX XXXXX XXXXX 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.

- By **September 1, 2023**, the District will provide documentation to OCR XXXXX
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4. By **June 15, 2023**, the District will provide training by a competent authority on Section 504 regarding Section 504’s requirements with respect to students with disabilities. The training will be provided to the principal of the District’s XXXXX XXXXX XXXXX (the School) and all School staff involved in the identification, evaluation, reevaluation, and placement of students with disabilities. At a minimum, the training will cover:
- a. Section 504 and Title II’s prohibition of discrimination against students with disabilities.
 - b. The District’s obligation to provide students with disabilities a free appropriate public education (FAPE) pursuant to Section 504’s implementing regulation at 34 C.F.R. §§ 104.33-104.35.
 - c. That the services required to provide FAPE must be determined on a case-by-case basis considering the individual needs of the student, and without predetermining services based on the student’s disabilities, e.g., an IEP team cannot deny a student an individual aid based on the assumption that the student’s particular disability does not warrant providing an aid, without an individualized assessment.
 - d. The District’s obligation to fully implement students’ IEPs and Section 504 plans in order to provide FAPE.
 - e. The importance of properly documenting and tracking the disability-related services provided to students.
 - f. The need to ensure students with disabilities are not excluded from programs, activities, or field trips for disability-related reasons, including clarification that the District cannot require a student with a disability’s family to furnish a chaperone or other disability-related accommodations for a field trip.

Reporting Requirements: By **June 15, 2023**, the District will provide OCR with documentation showing that the District implemented Item 4, including: the date(s) of the training(s); a copy of the training agenda(s); copies of training materials used; the name and qualifications of the person(s) who facilitated the training(s); and a record showing the names and job titles of all persons who received the training(s).

5. By **June 15, 2023**, the District will provide to OCR documentation XXXXX XXXXX
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XXXXX XXXXX XXXXX XXXXX XXXXX XXXXX. This documentation should include the following information:

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Reporting Requirements: By **June 15, 2023**, the District will provide OCR with the documentation required by Item 5.

XXXXX - PARAGRAPH REMOVED – XXXXX

Reporting Requirements: By **August 15, 2023**, the District will provide OCR with the documentation required by Item 6, which shall include at a minimum:

XXXXX - PARAGRAPH REMOVED – XXXXX.

XXXXX - PARAGRAPH REMOVED - XXXXX.

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 its implementing regulation, 34 C.F.R. Part 104, which were at issue in this complaint.

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

/s/

04/10/2023

Superintendent or Designee

Date