

**Crawford AuSable School District  
Resolution Agreement  
OCR Docket #15-23-1638**

Crawford AuSable 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 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, as well as Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104.

The District agrees to take the following actions:

**I. Individual Remedy**

By **November 15, 2023**, the District will notify the Complainant, in writing, that [redacted content] and [redacted content] service animal are welcome to return to [redacted content] and to the District and to enter any District facility at any time and in any place that members of the public, participants in services, programs, or activities, and invitees, as relevant, are permitted to visit and at any time and place by invitation. The District will also include in that notice the name, telephone number, and e-mail of a person (e.g., the District's Section 504/ADA coordinator) the Complainant can contact at the District in the event that any District official or employee attempts to exclude [redacted content] and [redacted content] service animal in the future or to inappropriately question [redacted content] about [redacted content] service animal.

**Reporting Requirements:** By **November 30, 2023** the District will provide OCR with a copy of the notice issued to the Complainant pursuant to Item I above. By **June 15, 2024** the District will report to OCR whether the Complainant or anyone else visited the District with a service animal during the 2023-2024 school year, and whether the District received any reports regarding exclusion from the District and/or inappropriate questioning due to the presence of a service animal and, if so, will detail the District's response and rationale for that response.

**II. District-wide Remedies**

- A. By **November 15, 2023** The District will revise and submit to OCR for review and approval its policies and procedures regarding the use in the District of service animals by visitors, members of the public, participants in services, programs, or activities, and invitees with disabilities to ensure that the policies and procedures do not require or suggest that notice to District is necessary in order to visit District property with a service animal and are otherwise consistent with the Section 504 implementing regulation at 34 C.F.R. § 104.4 and the Title II implementing regulation at 28 C.F.R. §§ 35.104, 35.130, and 35.136.
- B. Within 30 school days of receipt of notice that OCR has approved policies and procedures developed pursuant to Item II.A above, the District will: adopt the OCR-approved policies and procedures; publish them on the District's website, along with

a link that provides ready access to the policies and procedures; and notify staff of the revised policies and procedures by distributing a memorandum to staff or by including notice of them in a staff meeting or in-service training.

**Reporting Requirements:**

- By **November 30, 2023**, the District will submit to OCR for review and approval its revised or drafted policies and procedures pursuant to Item II.A.
- Within 30 school days of receipt of notice that OCR has approved policies and procedures, the District will submit information documenting its implementation of Item II.B above, including a link to the policies and procedures on any District website, and an explanation of how staff were notified of the revised policies and procedures, along with a copy of all written notices, if any.

**C. Training:** Within 60 school days of notice that OCR has approved the District's policies and procedures, the District will provide training to District staff by a person(s) knowledgeable about the District's revised policies and procedures related to service animals, as well as the requirements of Section 504 and Title II regarding service animals. The training will include but need not be limited to the following:

1. The District's obligation to permit the use of a service animal on District property by an individual with a disability, consistent with requirements of Section 504 and Title II, including:
  - a. the definition of a service animal;
  - b. examples of service animal tasks;
  - c. allowable inquiries regarding service animals;
  - d. examples of inquiries staff are not permitted to make including:
    - i. the nature of the individual's disability;
    - ii. documentation or proof of registration, licensure, or certification of the service animal; and
    - iii. demonstration of the service animal's task(s); and
    - iv. explanation of the limited circumstances under which the District may ask for the removal of a service animal.
2. The prohibition against disability discrimination, including the prohibition against:
  - a. affording an individual with a disability an opportunity to participate in or benefit from the aid, benefit, or service provided by the District that is not equal to that afforded others (*e.g.*, prohibited segregation, etc.);
  - b. providing different or separate aids, benefits, or services to individuals with disabilities or to any class of individuals with disabilities than is provided to others unless such action is necessary to provide qualified individuals with disabilities with aids, benefits, or services that are as effective as those provided to others; and
  - c. otherwise limiting an individual with a disability in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving the

aid, benefit, or service.

3. The District's policy related to service animals, as approved by OCR.
4. The contact information for the District's staff member responsible for receiving and investigating allegations of discrimination on the basis of disability.

**Reporting Requirements:**

- Within 30 calendar days of receiving OCR's approval of its policies pursuant to Item II.A, the District will provide to OCR a copy of the proposed training materials and the names and qualifications of the trainer(s) the District proposes to use to fulfill the requirements in Item II.C. The District will promptly and fully address feedback, if any, from OCR until it receives OCR's approval of the training materials and proposed trainer(s).
- Within 60 school days of receiving OCR's approval of its policies pursuant to Item II.A, the District will provide to OCR documentation which demonstrates the training has been completed using the approved training materials. The documentation will include, but is not limited to: the date(s) of the training(s); a list of individuals, by name and title, who attended the training(s); a list of individuals, by name and title, who were unable to attend the training(s) and a plan to ensure training is provided; and, a copy of the final training materials distributed to attendees.

**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/

10/04/2023

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Superintendent or Designee

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Date