

**Miamisburg City School District  
Resolution Agreement  
OCR Docket #15-23-1689**

Miamisburg 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. This Agreement does not constitute an admission by the District of a violation of Section 504, Title II, or any other law enforced by OCR.

The District agrees to take the following actions:

**I. Districtwide Remedies**

- A. Within 30 days of signing the Agreement,** the District will have the building principal in each school issue a memorandum to all staff with responsibility for implementing Section 504 plans reminding them of the requirement to prepare folders for substitute teachers/staff. The memorandum will direct staff to include in the folders a list of students who have Section 504 plans or Individualized Education Plans (IEPs), a list of each Student's accommodations or related aids and services, and a statement that the substitute is responsible for implementing the provisions of students' IEPs or 504 plans. The memorandum will also direct staff to include the name and contact information for the building's Section 504 Coordinator or Special Education Supervisor along with a statement that substitutes should contact the Section 504 Coordinator/Special Education Supervisor or a building administrator if they have questions about implementing any provisions in students' IEPs or 504 plans. Finally, the memorandum will also direct staff to include in the substitute folders how to contact CPI-trained staff and the circumstances under which staff should call for such assistance.

**Reporting Requirements: By November 15, 2023,** the District will provide OCR with a copy of the memoranda issued in accordance with Part I.A of the Agreement, including documentation demonstrating the District's method of issuance (*i.e.*, copy of an e-mail to staff), and the names and titles of District staff who received it.

**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.

/s/

09/26/2023

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SUPERINTENDENT or Designee

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Date