

**South Lyon Community Schools
Resolution Agreement
OCR Docket #15-23-1735**

South Lyon Community Schools (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. Within **seven calendar days** of signing the Resolution Agreement, the District will send a certified letter to the parent of the Student [redacted content] with information describing the parent's procedural safeguards, in accordance with 34 C.F.R. § 104.36. The letter will explain how the parent can request and participate in an impartial due process hearing regarding the identification, evaluation, and placement of the Student under Section 504, and will include the name, title, and contact information of the District employee the parent must contact to request a due process hearing. In addition, the letter must inform the parent what information [redacted content] must provide to request a due process hearing, the parent's right to be represented by counsel in the due process proceedings, and the review procedure for appealing any adverse decision.

Reporting Requirements:

- Within **ten calendar days**, the District will provide OCR with documentation demonstrating its implementation of item 1, including a copy of the certified letter to the Student's parent and any response from the Student's parent.
 - If the Student's parent requests a due process hearing, within **60 calendar days** of that request, the District will provide OCR with documentation of any due process hearing request the parent submitted to the District and any related documents concerning that request, including documentation showing the date of the hearing, the hearing outcome, any appeal documents, and other related documentation.
2. By **October 10, 2023**, the District will revise the information posted on its website as follows:
 - a. The District will revise the procedural safeguards information sheet posted on the District's Section 504 web page to explain the difference between a due process hearing request and a disability discrimination grievance.
 - b. The District will include information on its Section 504 web page and on its procedural safeguards information sheet regarding how a parent or guardian can request an impartial due process hearing with respect to actions regarding the identification, evaluation, and educational placement of persons who, because of a disability, need or are believed to need special instruction or related services. The

information will specify how to request an impartial due process hearing, describe the types of allegations appropriate for a due process hearing, state who the parent must contact at the District to request a due process hearing and provide that individual's contact information, and state that parents and guardians have the right to be represented by counsel in that process and to a review procedure.

- c. The District will revise its grievance form (Form M) and grievance procedure (Form L) posted on the District's Section 504 web page to expressly state that a Section 504 due process hearing request is separate and independent from a complaint of disability discrimination under Section 504 in accordance with the Section 504 regulation at 34 C.F.R. § 104.7(b).

Reporting Requirement: By **October 20, 2023**, the District will provide OCR with documentation demonstrating its implementation of item 2.a-c of the Resolution Agreement, including links to its website and copies of the District's procedural safeguards and Forms M and L.

3. By **October 20, 2023**, the District will provide OCR with Section 504 training materials that, upon OCR's review and approval, it will use to provide training to the District's Section 504 coordinator and building Section 504 coordinators. The training will be provided by a competent authority on Section 504, and will specifically address the procedural safeguard requirements in the Section 504 regulation at 34 C.F.R. § 104.36. The training will emphasize the District's obligation to offer an impartial due process hearing to address complaints regarding the identification, evaluation, and placement of students under Section 504, and the difference between an impartial due process hearing and a disability grievance process in accordance with the Section 504 regulation at 34 C.F.R. § 104.7(b).

Reporting Requirements:

- By **October 20, 2023**, the District will submit for OCR's review and approval a copy of the training materials it intends to use, along with the name and qualifications of the proposed trainer demonstrating that he/she is a competent authority on Section 504 and Title II.
- Within **30 calendar days** of OCR's approval of the training materials and trainer qualifications, the District will provide OCR with documentation showing that it provided the training. The documentation will include the date(s) of the training(s); copies of the agenda and any training materials distributed; and a copy of the sign-in sheets of attendees, indicating their names and job titles.

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/

09/14/2023

Superintendent or Designee

Date