

**Resolution Agreement
Indianapolis Public Schools
OCR Docket #05-13-1362**

Indianapolis Public Schools (District) submits the following Agreement to the U.S. Department of Education, Office for Civil Rights (OCR), to ensure its 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. § 12132, and its implementing regulation at 28 C.F.R. Part 35, with respect to the allegations raised in the above-referenced complaint. The District agrees to take the following actions:

1. By June 2, 2014, the District will develop policies and procedures to ensure that the District will provide a free appropriate public education to each qualified student with disabilities who is within in the District's jurisdiction, as required by Section 504 at 34 C.F.R. § 104.33, including in the provision of transportation. These policies and procedures will include specific provisions to ensure that when a student transfers from one school to another in the District, the receiving school has sufficient information about the student's needs to provide an appropriate education to the student. The policies and procedures will specify that the transportation provided to students with disabilities will be based upon the individual needs of the student, which will be determined through a process consistent with the requirements of Section 504.

REPORTING REQUIREMENT: By June 16, 2014, the District will submit its revised policies and procedures to OCR for review and approval.

2. Within 15 calendar days of written notification of OCR's approval of the revised policies and procedures developed in accordance with Item 1, the District will adopt and implement the policies and procedures and will notify District personnel who serve students with disabilities and parents of students with disabilities of the revised policies and procedures. The policies and procedures will be published on the District's website.

REPORTING REQUIREMENT: By August 1, 2014, the District will provide OCR with documentation that it has implemented this item, including copies of the written notices and a link to the revised policies and procedures on its website.

3. By October 1, 2014, the District will provide training to all administrators, teachers, transportation department personnel, contracted transportation personnel, and other relevant staff, regarding the policies and procedures referenced in Item 1. The training will specifically inform administrators and staff of the transportation policies for students with disabilities, including where necessary, providing assistance to students to ensure that they receive their assigned transportation at the end of the school day.

REPORTING REQUIREMENT: By October 15, 2014, the District will provide OCR with documentation that it has provided the training referenced in this item, including the dates of the training, the names and titles of the trainer(s), a copy of materials used or distributed

during the training, and a sign-in sheet with the names and titles of the staff who attended the training.

4. The District will take the following actions with respect to Student A:
 - a. By May 1, 2014, the District will convene a case conference meeting to review the transportation needs of Student A and determine whether due to her disability, Student A requires a bus stop closer to her home than what is currently being provided. If the case conference meeting results in a determination that Student A needs such a bus stop, the District will immediately put in place the new bus stop. If the case conference meeting results in a determination that Student A's current bus stop meets her needs, the District will provide Student A's parent notice of the parent's right to challenge this determination through a due process hearing.
 - b. If the District determines that Student A requires a bus stop closer to her home than was provided during the 2012-13 and 2013-14 school years, the case conference team will determine what compensatory services are appropriate for Student A as a result of not providing her an appropriate bus stop in 2012-13 and 2013-14. The District will provide the compensatory services by the end of the 2013-14 school year. If the District determines that compensatory services are not necessary, the District will provide notice of the decision and the rationale to Student A's parent, as well as notice of the parent's right to challenge this determination through a due process hearing.

REPORTING REQUIREMENT: By May 15, 2014, the District will provide OCR with documentation it has convened the case conference meeting and made the determinations required by this item, including notes from the case conference meeting and all relevant notices to Student A's parent. By August 1, 2014, the District will provide OCR documentation it has provided all compensatory services determined necessary.

The District understands that by signing this agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the District understands that during the monitoring of this agreement, if necessary, OCR may visit the District, interview employees and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§ 104.33 and 104.37 and Title II at 28 C.F.R. § 35.130(a), which were at issue in this case.

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the District has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§ 104.33 and 104.37 and Title II at 28 C.F.R. § 35.130(a), which were at issue in this case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement or judicial proceedings to enforce the specific terms and

obligations of this Agreement, OCR shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

Approved and agreed to on behalf of Indianapolis Public Schools:



03-03-2014

Superintendent or Designee

Date