

Resolution Agreement
Park Hill School District
Docket # 07151148

The Park Hill School District, (District), Kansas City, Missouri, submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), in order to resolve the allegations of discrimination based on disability against the District in this complaint, and to ensure compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 United States Code (U.S.C.) § 794, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, and the implementing regulations of these federal laws. Accordingly, to resolve issues identified by OCR during the course of its investigation of this complaint, the District voluntarily agrees to take the following actions:

I. GENERAL PROVISIONS

This Agreement resolves issues identified by OCR during the course of its investigation in OCR Docket No. 07152016 and does not constitute an admission by the District of any violation of the statutes and regulations OCR enforces.

OCR agrees to discontinue its investigation of OCR Docket No. 07151148 based upon the District's commitment to take the actions specified in this Agreement which, when fully implemented, will resolve the issues identified by OCR during the course of its investigation.

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 staff and students, and request such additional reports or data as necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with the terms of this Agreement.

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. OCR will consider the District to have fulfilled the terms of this Agreement and to be in compliance with the statutes and regulations OCR enforces upon OCR's determination that the District has completed the Reporting Requirements listed below.

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 (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce 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.

II. RESOLUTION PROVISIONS

INDIVIDUAL REMEDY

1. By September 1, 2015, the District will conduct a new investigation into the April 3, 2015 incident in the lunch room that the Complainants referenced in her complaint. The investigation will:
 - a. Include an opportunity for the complainant to provide information regarding her son's treatment by staff and students;
 - b. thoroughly investigate the facts to determine whether the complainant's son was subjected to harassment;
 - c. determine if an employee or student should be disciplined; and
 - d. take all appropriate measures to prevent any future harassment of the complainant's son and remedy any past harassment.

REPORTING REQUIREMENT: By October 1, 2015, the District will provide OCR documentation demonstrating compliance with this item, including a description of the investigation, the names of individuals interviewed, copies of any notes from interviews or written statements obtained, the findings made as a result of the investigation; any discipline given to staff or students; and the steps taken to prevent future incidents of harassment.

TRAINING

2. By September 30, 2015, the District will provide training on its anti-discrimination, anti-harassment and anti-retaliation requirements of Section 504 and Title II to District classified, certified and administrative staff. The training will be conducted by an individual knowledgeable about the laws and issues pertaining to Section 504 and Title II compliance and the specific topics listed below. The training will include:
 - a. a discussion of the general anti-discrimination provisions of Section 504 and Title II, including the prohibition against denying a qualified individual with a disability the opportunity to participate in or benefit from the aid, benefit, or service of the District and the integration mandates of Section 504 and Title II and to be free of harassment.
 - b. a discussion and distribution to trainees of the District's anti-discrimination, anti-harassment and anti-retaliation policies and procedures pertaining to disability, including the District's grievance procedures for complaints of discrimination.

REPORTING REQUIREMENT:

Within sixty (60) days of completing the training required in paragraph 2, the District will provide OCR documentation showing it has completed the training described above. The documentation must identify: (a) the date and location of the training; (b) the topics addressed at the training(s) (the District may provide OCR an outline of the training and a copy of the materials disseminated at the training); (c) the name(s), title(s) and credentials of the individual(s) who conducted the training; and (d) the name, title and work location of each District administrator or employee who attended the training (a sign-in sheet with the attendees' names, titles, and work locations is sufficient).

_____/s/_____
District's Representative/Title

_____August 17, 2015_____
Date