

Resolution Agreement
Docket # 07161033
Guymon Public Schools

The U.S. Department of Education, Office for Civil Rights (OCR), conducted a complaint investigation of the Guymon Public Schools, Guymon, Oklahoma (the District), pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 United States Code (U.S.C.) § 794, and its implementing regulation, 34 Code of Federal Regulations (C.F.R.) Part 104, which prohibit discrimination on the basis of disability by recipients of federal financial assistance (FFA); and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, and its implementing regulation, 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public entities. The Guymon Public Schools, as a recipient of FFA and a public entity, is subject to these laws.

X--- paragraph redacted ---X

On March 15, 2016, before OCR completed its investigation, the Guymon Public Schools expressed an interest in resolving the Complaint. OCR's *Case Processing Manual (CPM)* states that where a recipient has indicated that it is willing to take action in the future to resolve the complaint, OCR may resolve the complaint by obtaining a resolution agreement, the implementation of which OCR will monitor. *CPM § 302 (revised 2015)*. The District agrees to take the following actions to resolve the Complaint:

I. RESOLUTION PROVISIONS

1. The District shall revise its dress codes or policies to provide that exceptions to or modifications of the code or policy requirements will be made to ensure that students with disabilities can participate in and receive the benefits of all District programs or activities.

REPORTING REQUIREMENT: Within 30 calendar days of the date this Agreement is executed the District will provide to OCR, for its review and approval, the dress codes or policies revised pursuant to paragraph 1 above.

2. Within 30 days of receiving OCR's approval of the revised dress codes or policies the District will provide notice of them to its faculty, parents, and students (providing a link to the revised dress codes or policies is an acceptable way to comply with this provision).

REPORTING REQUIREMENT: Within 30 calendar days of the District providing the notice required by paragraph 2 above the District will provide documentation demonstrating its compliance.

3. The District shall publish and prominently display the OCR-approved revised dress code and policies in student, employee, and faculty handbooks, including in any handbooks posted on the District's website.

REPORTING REQUIREMENT: Within 30 calendar days of the District including the revised dress code and policies the District will provide OCR with a list of such publications, and copies of those revised hard-copy publications will be provided to OCR no later than **September 1, 2016**.

4. The District shall review and if necessary revise its notice of non-discrimination on the basis of disability to ensure that it meets the requirements of Section 504 and its implementing regulation at 34 C.F.R. § 104.8, and Title II and its implementing regulation at 28 C.F.R. § 35.106. The District may consult with OCR for technical assistance in drafting or revising its notice of nondiscrimination, and may refer to OCR's policy guidance entitled *Notice of Non-Discrimination*, including the sample combined notice of nondiscrimination.¹

REPORTING REQUIREMENT: Within 30 calendar days of the date this Agreement is executed the District will provide OCR with a copy of its notice of non-discrimination on the basis of disability for its review and approval.

5. The District shall publish and prominently display the OCR-approved notice of nondiscrimination on the basis of disability in an easily visible location in electronic and printed publications for general distribution, including, but not limited to, the following publications: a) bulletins; b) announcements (excluding unforeseeable announcements such as inclement weather notices); c) catalogs; d) student, faculty, and employee handbooks and/or manuals; e) board policies and grievance procedures for discrimination complaints; and f) student codes of conduct. For publications such as student, employee, and faculty handbooks, the notice should be placed at the beginning of each handbook in a section entitled Notice of Nondiscrimination or a similar title, with a reference in the index or table of contents. The revised notice also shall be prominently posted in an easily visible location in the District administration building(s).

REPORTING REQUIREMENT: Within 30 calendar days of the District receiving OCR's approval of its notice of nondiscrimination on the basis of disability, provide to OCR a current list of the posted, electronic (including online), and hard-copy publications containing the OCR-approved notice of nondiscrimination on the basis of disability, with links to the electronic publications and copies of the hard-copy publications. For any District hard-copy publications that will not be revised until the 2016-17 school year, the District will at the same time provide OCR with a list of such publications, and copies of those revised hard-copy publications will be provided to OCR no later than **September 1, 2016**.

6. The District shall provide training to all administrators, staff and employees who provide educational services to students with disabilities or make decisions regarding the

¹ OCR's guidance entitled *Notice of Non-Discrimination* can be accessed at <http://www2.ed.gov/about/offices/list/ocr/docs/nondisc.html>.

provision of educational services to students with disabilities, regarding the rights and procedural requirements outlined in Section 504, Title II, and the regulations implementing those laws and the District’s revised dress code and policies. The District may consult with OCR for technical assistance regarding Section 504 and Title II and the regulations implementing those laws.

REPORTING REQUIREMENT: **By no later than September 1, 2016,** the District shall provide OCR with documentation showing that the District provided training to its staff and employees on the rights and procedural requirements outlined in Section 504. The documentation should include the names of attendees, the dates of attendance, the names and qualifications of the training presenters, the titles of the training presentations, and a copy of all materials provided during the presentations.

7. Within 2 weeks of the execution of this agreement, the District will notify the Complainant in writing that it will reimburse the Student for these expenses incurred in preparation for the graduation ceremony: the graduation cap and gown and graduation announcements.

REPORTING REQUIREMENT: **Within 2 weeks** of providing the required notice to the Complainant, the District shall provide OCR with a copy of the notice. The District shall also provide copies of all correspondence regarding the reimbursement of graduation expenses and a copy of the check sent to the Complainant.

II. GENERAL PROVISIONS

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the recipient has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§ 104.35-104.36, which were at issue in this case.

The District understands that by signing the Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Agreement and that all actions taken to comply with the requirements of the Agreement are subject to OCR’s review and approval. Further, the District understands that, during the monitoring of the Agreement, if necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of the Agreement and is in compliance with the statutes and regulations that 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 (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 sixty (60) calendar days to cure the alleged breach.

The individual executing this Agreement on behalf of the District is hereby representing that he/she has the authority to bind the District in accordance with the terms of this Agreement.

For the Guymon Public Schools:

/s/ Doug Melton
Doug Melton, Superintendent

5/12/2016
Date