

Resolution Agreement
Expedition School
OCR Complaint No. 11-15-1033

The Expedition School (the School) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-15-1033. This Agreement does not constitute an admission by the School of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (Title II) or any other law enforced by OCR.

STUDENT SPECIFIC REMEDIES

1. Within **60 days** of the date of this agreement, the School will convene a group of persons knowledgeable about the Student, including the parent/guardian, with the purpose of developing a plan for providing compensatory and/or remedial services to the Student (i) due to being restrained on September 16, 2014, (ii) for the time period the Student's daily behavior tracking sheets were not provided from approximately August 2014 through mid-September 2014, and (iii) for the time period when the Student was not provided a one-to-one aide as required by her behavior plan from October 1, 2014, through October 23, 2014. The group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond December 1, 2015. The School will provide the Student's parent/guardian notice of the procedural safeguards including the right to challenge the group's determination through an impartial due process hearing.

Reporting Requirements:

- a. Within one week of the meeting, the School will submit to OCR for review and approval a copy of, meeting minutes or similar documentation from the meeting referenced in Action Item 1 above, including an explanation for decisions made, and a description of and schedule for providing compensatory and/or remedial services (if any) to the Student and the notice of due process. OCR will review the documentation submitted to ensure that the School met the procedural and other requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, in making these determinations.
- b. By January 15, 2016, the School will provide documentation to OCR of the dates, times and locations that compensatory and/or remedial services were provided, a description of what was provided, and the name(s) of the service provider(s).

SCHOOL WIDE REMEDIES

2. The School will develop a policy on restraint and seclusion that comports with the U.S. Department of Education Restraint and Seclusion Resource Document, located at <https://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>.
2. The School will train all School staff who have responsibility for supervising special needs students to ensure that the new restraint and seclusion policy described in Action Item 2 above is properly implemented.

Reporting Requirements

- a. By August 1, 2015, the School will submit for OCR’s review and approval a draft of its restraint policy consistent with Provision 2 above. Within 30 days of OCR’s approval of the proposed restraint and seclusion policy, the School will submit documentation confirming that the approved policy has been officially adopted by the district and demonstrate that the policy has been disseminated using its standard methods for disseminating new information that is important to students, parents/guardians, employees, and other members of the public.
- b. By September 1, 2015, the School will provide for OCR’s review and approval a copy of the training materials prepared for Provisions 3 above, including the name(s) and title(s) of the trainer(s) and any handouts or presentations developed for this training. Within 30 days of OCR’s approval of the training materials, the School will submit confirmation that the training has been provided to all School staff who have responsibility for supervising special needs students.
- c. Within 30 days of the completion of the approved trainings, the School will submit to OCR the name(s) and title(s) of the trainer(s), the date of the training, any materials used, and the sign-in sheet indicating the names, and titles of participants.

The School understands that OCR will not close monitoring of this agreement until OCR determines that the School has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504 and Title II, which were at issue in the complaint.

The School 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 School understands that during the monitoring of this agreement, if necessary, OCR may visit the School, interview staff and groups of students, and request such additional reports or data as are necessary for OCR to determine that the School has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II, which were at issue in the complaint.

The School understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (24 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this agreement, OCR shall give the School written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

/S/

Superintendent or designee
The Expedition School

7/21/15

Date