

**Resolution Agreement  
Rudyard Area Schools  
OCR Docket No. 15-14-1177**

Rudyard Area Schools (the District) submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to ensure compliance with Section 504 of the Rehabilitation Act of 1973, 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, 42 U.S.C. § 12131 et seq., and its implementing regulations at 28 C.F.R Part 35. This Agreement is being voluntarily submitted by the District under Section 302 of OCR's *Case Processing Manual* and before the completion of OCR's investigation and any issuance of findings; accordingly, the District agrees to do the following:

**ACTION STEPS**

- A. By xxxxx, the District will send the parents of the student at issue in this complaint (the Student) a letter notifying the Student's parents that, xxxxx school year, or thereafter, the District is offering to convene a meeting of the persons knowledgeable about the Student ( 504 team) in order to amend or revise, as necessary, the Student's Section 504 plan to appropriately reflect the entirety of regular or special education and related aids and services that xxxxx requires to meet his individual educational needs as adequately as the needs of persons without disabilities are met. Such amendments and or revisions will specifically include any related aids and services xxxxx.
1. If the Student's parents provide information that it xxxxx school year, the District will within three school days of the Student's xxxxx provide the Student's parents or guardians notice of a proposed date to reconvene a 504 meeting and an opportunity to participate, or otherwise provide meaningful input into the development of a 504 plan for the Student. The notice will be accompanied by the relevant forms necessary, if any, to be completed by the Student's parent(s) in the event further evaluation and or assessment is necessary and will explain to whom the forms should be returned.
  2. Within 7 calendar days of the Student's xxxxx, the District will convene a 504 meeting. The 504 meeting will be conducted in accordance with the following provision:
    - a. All decisions regarding any modifications or amendments to the 504 plan will be made by a group of persons knowledgeable about the Student, including the appropriate building administrator, the parents and/or persons they choose to provide information about the Student's xxxxx, and any other individuals knowledgeable about the Student's xxxxx, his educational needs, and or other related disability-related needs (the Section 504 team). If the Student's parents are unable to attend the Section 504 meeting, the District will provide them with a meaningful opportunity, prior to final decisions being reached, to provide input into Section 504 team decisions regarding the any amendments or modifications to the Student's 504 plan;

3. To ensure that the Student's 504 team develops an appropriate 504 plan for the Student that adequately addresses his needs and the related xxxxx concerns, during the 504 meeting, the 504 team will discuss and address, at a minimum, the following areas:
  - a. When and where the Student can xxxxx, which should be accessible in terms of time and location so the Student's daily schedule will not be unduly disrupted;
  - b. the names, contact information, and specific responsibilities of each District staff person responsible for providing adequate xxxxx care to the Student, including the xxxxx and the xxxxx for the Student when the xxxxx is not present in the school;
  - c. If deemed necessary by the team, the conditions under which the Student will be required to xxxxx to District personnel;
  - d. how and when xxxxx information for xxxxx will be provided to the Student and his parents;
  - e. If deemed necessary by the team, the steps that will be taken by the District and the Student's parent if and when the Student xxxxx;
  - f. that the District xxxxx, and
  - g. that the District will not xxxxx.
4. The District will provide the Student's parents with notice of the determinations made pursuant to Item 2 above, as well as the procedural safeguards afforded them under Section 504, including their right to challenge the District's determinations about the Student's 504 plan through requesting an impartial due process hearing in accordance with the Section 504 implementing regulation at 34 C.F.R. § 104.36.

**REPORTING REQUIREMENTS:**

- A. By xxxxx, the District will provide documentation to OCR showing that it has implemented items I. A (1-4) above, such as a copy of the letter and forms sent to the Student's parents pursuant to item A, a copy of the Section 504 plan developed for the Student, a copy of any meeting notes describing the information addressed during the 504 meeting, and documentation demonstrating that the parents were provided notice of their procedural safeguards; alternatively,
- B. If the Student's parents xxxxx school year within 30 days of the District's letter sent pursuant to item A above, the District will provide OCR with a statement to that effect by xxxxx.

**General Requirements**

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 and Title II with respect to the issues addressed in this Agreement.

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 are necessary for OCR to determine whether the District has fulfilled the terms of this agreement and is in compliance with Section 504 and Title II.

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.

/s/

10/8/14

\_\_\_\_\_  
Superintendent or Designee

\_\_\_\_\_  
Date