

**RESOLUTION AGREEMENT**  
**Canton Preparatory High School**  
**OCR Docket #15-16-1320**

Canton Preparatory High School (the School) submits the following agreement to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the above-referenced complaint and to ensure 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, Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131 *et seq.*, and its implementing regulation, 28 C.F.R. Part 35. The School agrees to take the following actions:

**Action Steps**

1. On or before August 31, 2016, the School will convene a meeting of a group of persons knowledgeable about the Student, the evaluation data, and the placement options, including the Student's parents, to determine whether compensatory education or other remedial services for the Student is required for XXXX through XXXX XXXX, when the complaint states he may not have had individual aide/adult support throughout the day in all subjects. The group will develop a written plan for providing the Student with the compensatory education or other remedial services, if deemed necessary. Any such plan will identify the nature and amount of the services to be provided at no cost to the Student's parents, by whom, and when, and will become part of the Student's IEP. The School will provide the Student's parents with a meaningful opportunity to provide input into these determinations.
  
2. On or before September 2, 2016, the School will send notification to the Student's parent(s), in writing, of the group's decisions regarding Item 1 above. The notification should include a detailed description of the outcome of the review, the nature and amount of compensatory education or remedial services to be provided, if any, including what services will be provided, where and how often the services will be provided, who will provide them and a notice that no cost will be incurred by the Student's parent(s). The School will also notify the Student's parent(s), in writing, of the procedural safeguards afforded them under Section 504, including the right to challenge the determinations regarding compensatory education services through an impartial due process hearing. The notice will indicate that the Student's parent(s) have 20 calendar days from the date of receipt to inform the School of their acceptance of the School's offer of compensatory education or remedial services, if any.

**REPORTING REQUIREMENT:** On or before September 2, 2016, the School will provide OCR with documentation to demonstrate its implementation of Item 1, including: (i) documentation showing when the group met, who was present, what was discussed, the group's decisions, and the bases for those decisions; (ii) copies of any meeting minutes; (iii) a copy of any plan developed for the Student; (iv) documentation of any input provided by the Student's parent(s) and showing that procedural safeguards were provided to the parent(s); (v) any other documentation relevant to the determinations reached in accordance with Item 1; and (vi) a copy of the notification sent to the Student's parent(s) pursuant to Item 2 and any response from the

Student's parent(s). Should the School determine that no compensatory education or other remedial services are necessary, the School will provide a written explanation of the reasons for its determinations, along with any supporting documentation. OCR will review the documentation submitted to ensure that the School met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35, and 104.36, in making its determinations.

3. By December 30, 2016, the School will provide any compensatory and/or remedial services deemed necessary pursuant to Item 1.

**REPORTING REQUIREMENT:** On or before January 20, 2017, the School will provide documentation to OCR of the dates, times and locations that compensatory and/or remedial services were provided, if needed, a description of what was provided, and the name(s) and title(s) of the service provider(s). If the Student's parent(s) did not accept the School's offer of compensatory education or remedial services, if any, pursuant to Item 2, the School will indicate so in its report to OCR and provide OCR with any documentation the School might have to demonstrate the parent(s)' lack of acceptance.

### **General Requirements**

The School understands that OCR will not close the monitoring of this agreement until OCR determines that the School has fulfilled the terms of this agreement in compliance with Section 504 and its implementing regulation at 34 C.F.R. §104.33, which was at issue in this investigation.

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, OCR may visit the School, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the School fulfilled the terms of this agreement and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. § 104.33.

The School 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 School written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/

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Canton Preparatory High School  
Authorized Representative

08/16/2016

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Date