Walled Lake Consolidated Schools
Resolution Agreement
OCR Docket Number 15-24-1158

Walled Lake Consolidated Schools (the District) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), for the purpose of resolving the above-referenced complaint and ensuring 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, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131 *et seq*., and its implementing regulation at 28 C.F.R. Part 35.

The District agrees to take the following actions:

1. Within 45 calendar days of the execution of this Agreement, the District will reconvene the group of persons knowledgeable about the Student, the meaning of the evaluation data, and the placement options (the team), including the Student and his parent(s), to review the services and reasonable modifications he needs due to allergies, including related to meals, and revise his Section 504 plan, as appropriate, to clarify what he requires at school and to ensure that he participates with students without disabilities in activities and services, including lunch, to the maximum extent appropriate to his needs, in compliance with Section 504's implementing regulations at 34 C.F.R. §§ 104.33, 104.34, and 104.35. The District will provide the Student's parent(s) with a meaningful opportunity to provide input into these determination(s). The District will also provide the Student's parent(s) with notice of the determination(s) made, and the procedural safeguards available to them under 34 C.F.R. § 104.36, including their right to challenge such determinations through an impartial due process hearing should they disagree.

   Reporting Requirement: Within 90 calendar days of the execution of this Agreement, the District will provide OCR with documentation showing that the District implemented Item 1. The documentation should include: (i) all relevant records of the Student's team meeting, including the invitation to the parent(s), the date and time of the meeting, the meeting minutes, a list of attendees, and their positions, an explanation of the determination(s), a copy of the Student's revised Section 504 plan, and documentation of any input provided by the Student's parent(s); and (ii) documentation demonstrating that procedural safeguards were provided to the Student's parent(s).

2. Within 30 calendar days of the execution of this Agreement, the District will publish and implement a written policy (e.g., "Notice of Procedural Safeguards – Section 504") regarding nonacademic and extracurricular services and activities, including meals, to comply with Section 504 and Title II to ensure that students with a disability participate with students without a disability in nonacademic and extracurricular services and activities, including meals, to the maximum extent appropriate to the needs of the students with a disability, and that the School administer its services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities, in compliance with 34 C.F.R. § 104.34(b) and 28 C.F.R. § 35.130(d).

   Reporting Requirement: Within 30 calendar days of the execution of this Agreement, the District will provide OCR with documentation showing its implementation of Item 2

of the Agreement (e.g., web page address where the written policy is posted on the District's website).

3. Within 30 calendar days of the execution of this Agreement, the District will provide a written memorandum to District staff responsible for monitoring lunch or meals at the Student's school(s) (e.g., [redacted content]), including but not limited to the principal, cafeteria employees, and/or lunch monitoring staff regarding (1) the written policy developed pursuant to Item 2 to ensure the school's compliance with 34 C.F.R. § 104.34(b) and 28 C.F.R. § 35.130(d), and (2) the District's obligation to ensure that students with a disability, including allergies, participate with students without a disability in nonacademic and extracurricular services and activities, including meals, to the maximum extent appropriate to the needs of the students with a disability, and that the School administer its services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

   Reporting Requirement: Within 30 calendar days of the execution of this Agreement, the District will provide OCR with documentation showing its implementation of Item 3. The documentation should include a copy of the written memorandum and documentation showing how, when and to whom such memorandum was provided.

General Requirements

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the Agreement and/or Section 504 and Title II and their implementing regulations, 34 C.F.R. Part 104 and 28 C.F.R. Part 35. Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.

By signing the Agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. 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.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has demonstrated compliance with all the terms of this Agreement and is in compliance with Section 504 and Title II and their implementing regulations, 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue in this complaint.

The Agreement will become effective immediately upon the signature of the District's representative below.

/s/ 8/5/2026

Superintendent or Designee Date