

FROM THE ABILITY CENTER OF GREATER TOLEDO

FOR IMMEDIATE RELEASE

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**ABILITY CENTER OF GREATER TOLEDO SUCCESSFULLY RESOLVES COMPLAINT
AGAINST TOLEDO PUBLIC SCHOOLS**

On September 4, 2009, the Toledo Public Schools entered into a “Resolution Agreement” with the United States Department of Education—Office of Civil Rights, regarding a complaint filed by the Ability Center of Greater Toledo. The complaint, filed against the District on March 12, 2009, cites the District’s failure to adopt Board-approved policies and procedures that address the implementation of Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794).

The Ability Center filed the complaint citing the District’s failure to provide students with disabilities access to Section 504 plans created in accordance with federal regulations. In May of 2008, The Ability Center sent a public records request to the District requesting information regarding its policies and procedures. The District responded that it had “none”. Since The Ability Center provides advocacy representation on behalf of approximately 350 students with disabilities every year and had first-hand knowledge of the District’s failure to properly respond to the request for “504” plans, the Center filed its complaint with the United States Department of Education.

According to a letter received by The Ability Center on September 14, 2009 from Catherine D. Criswell, Acting Director of the United States Department of Education, “ ... on September 4, 2009, the District responded to the Office of Civil Rights with a signed agreement to resolve the complaint allegation. The agreement provides that the District will draft Section 504 policies and procedures to provide for the identification, evaluation, and placement of students with disabilities, including a system of procedural safeguards at the time that a decision is made about the identification, evaluation, placement, or reevaluation of such students. The agreement also requires the District to draft Section 504 grievance procedures in accordance with 34 C.F.R. § 104.7(b).”

The Department of Education is also requiring the District to submit the draft policies and procedures to their offices by September 30, 2009 for review. Once the Department of Education has approved the policies, the District is required to distribute the policies to “the District’s educational community including, but not limited to, parents/guardians, students and teachers.

In addition, the agreement requires the District to provide training to its administrators, teachers, and to other school staff, who have responsibilities for referring students for evaluation and implementing Section 504 plans, regarding the District's new policies and procedures and its Section 504 obligations regarding identification, evaluation, and placement."

A link to the "Resolution Agreement" in PDF format can be found near the bottom of this page:
www.abilitycenter.org/ability-center-of-greater-toledo-successfully-resolves-complaint-against-toledo-public-schools.php

The Ability Center of Greater Toledo is a Center for Independent Living that provides a variety of services to individuals with disabilities living in Northwest Ohio. One of our core services is the provision of both individual and systemic advocacy representation to persons living with disabilities and their families.



The Ability Center of Greater Toledo

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OUR MISSION: to assist people with disabilities to live, work and socialize within a fully accessible community.

OUR VISION: We believe in and support equitable and inclusive communities for people living with disabilities.