

Resolution Agreement
South Carolina Charter School District
Complaint # 11-14-1149/1167/1168/1177

South Carolina Charter School District (the District) agrees to implement this resolution agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-14-1149/1167/1168/1177. The Agreement does not constitute an admission by the District of any violation of Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (ADA Title II), or any other law.

Substantive Requirements:

1. By September 10, 2014, the District will develop and provide training to all teaching and administrative staff, or other staff involved in the provision of services to students with disabilities, at York Preparatory Academy (School) on Section 504 and Title II, including:
 - The provision of a free appropriate public education (FAPE) to students with disabilities, including the procedural requirements of Section 504;
 - Factors that should be considered by a Section 504 Team when determining if a related aid or service (an accommodation) is appropriate for a Student;
 - Examples of appropriate accommodations and legitimate reasons not to provide an accommodation;
 - The scope of Section 504 meetings, including when it is appropriate to revisit a student's eligibility for Section 504 after he or she has been found eligible to receive disability-related aids and services; and
 - The prohibition against retaliation and harassment and examples of what constitutes disability-based retaliation and harassment.
2. By September 1, 2014, OCR will provide training to the District staff responsible for investigating claims of discrimination. The training will focus on the scope of an appropriate investigation, factors to consider during an investigation, appropriate legal standards, and appropriate remedies.

Reporting Requirements:

1. By September 3, 2014, the District will submit to OCR for its review and approval the name and qualifications of the individual providing the training required by item 1, a copy of the draft presentation and all handouts to be provided.
2. Within five days of providing the training required by item 1 the District will provide OCR a sign-in list with all the attendees, a list of all teaching and administrative staff at the School for the 2014-2014 school year, a copy of the final presentation, and any handouts provided (if differ from the first submission).

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 compliance with the

regulation implementing Section 504, at 34 C.F.R. Sections 104.4, 104.33, 104.35, and 104.36 which were at issue in this case. 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, with proper notice to 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 compliance with the regulation implementing Section 504, at 34 C.F.R. Sections 104.4, 104.33, 104.35 and 104.36, which were at issue in this case.

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/_____
Dr. Wayne Brazell, Superintendent
South Carolina Charter District

____8/12/2014_____
Date