

school year.

- C. For all students determined to require compensatory education and/or remedial aids and services, within seven days of that determination, the IEP team will develop a plan for providing timely compensatory and/or remedial aides and services with a completion date not to extend beyond December 31, 2021, unless agreed to by the student's parent/guardian.
- D. The District will provide the student's parent/guardian with notice of the procedural safeguards, including the right to challenge the IEP team's determination, through an impartial due process hearing.

Reporting Requirements

- E. Within 14 days of completing the review of the students' schedules as required by paragraph (I)(A) of this Agreement, the District will provide to OCR a detailed report that summarizes the results of the District's review, including: the name or other identifying information of each student whose schedule was reviewed; a list of the schedule or other records reviewed for each student; the determination reached for each student; and, the reasons or bases that support the determination reached for each student (the District will also include any reasons or bases that support an opposite determination for each student). The District will retain all records reviewed for each student and will provide them to OCR upon OCR's request, including, a copy of the applicable IEP for each student for whom a determination has been made that instructional time will include the period of time between classes, breakfast/lunch, and loading/unloading of the school bus.
- F. Within 14 days of reaching the decision regarding whether compensatory and/or remedial services are needed for any student as required by paragraph (I)(B) of this Agreement, the District will submit to OCR documents supporting the group's decision. The documentation submitted will include documentation showing: the participants in the meeting; an explanation for decisions made; the information considered; and, a description of and schedule for providing any compensatory and/or remedial services (if any) to each student. OCR will, prior to approving the District's decision and plan for providing the proposed services, review the documentation to ensure that the District met the requirements of the regulations implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, and, as applicable, Title II, at 28 C.F.R. § 35.160 in making these determinations.
- G. By January 30, 2022, the District will provide documentation to OCR, for each student identified as needing compensatory and/or remedial services as required by paragraph (I)(B)(1) of this Agreement, of the dates, times, and locations that compensatory and/or remedial services were provided, a description of what was provided, and the name(s) of the service provider(s).
- H. By January 31, 2021, the District will provide documentation to OCR showing that an individualized determination was made as required by paragraph (I)(B)(2) for each student to determine the amount of instructional time he or she required.

II. Memorandum Reaffirming Nondiscriminatory Instruction

- A. Within 30 days of the date of this Agreement, the District will create a memorandum or similar document for distribution to all of its educators that states the obligation of the District under Section 504 and Title II, to provide instruction to its students with disabilities that is equal to that received by their peers without disabilities in such areas as the length of their school day. The memorandum will further explain that any exceptions to equal instructional time for students with disabilities, such as individual disability related needs that may require a student to have a shorter instructional day, shall be determined on an individual basis, based on a student's individual needs, and as determined by the IEP team. In addition, the memorandum will include the contact information for the District Section 504/Title II coordinator with an advisement that the coordinator may be contacted with any questions or comments.
- B. Within ten (10) days of developing the memorandum required by paragraph (II)(A) of this Agreement, the District will submit the memorandum to OCR for review and approval.
- C. Within fifteen (15) days of OCR's completion of its review and approval of the memorandum required by paragraph (II)(A) of this Agreement, the District will disseminate a copy of it to all faculty, staff, and administrators involved in the provision of special education or other instructional services to students with disabilities.

The District will also provide a copy of the memorandum to the parent/guardian of each student in grades kindergarten through 12 who received special education and related aids and services through placement in the District's Autism, Life Skills, or Emotional Support programs during the 2019-2020 school year. The District may complete this by either U.S. mail or e-mail.

In addition to disseminating a copy of the memorandum to faculty, staff, administrators, and parents, the District will post the memorandum to its website and at all District locations at which other District documents are posted in order to inform faculty, staff, students, parents, or the public of such information. The memorandum will remain posted at these locations for at least one year following the signing of this Agreement.

Reporting Requirement

- D. Within ten (10) days of completing the requirements of paragraph (II) of this Agreement, the District will provide a written statement to OCR that verifies that it completed the requirements. The verification will state the total number of copies distributed, the date(s) of distribution, the method(s) of distribution, a copy of the explanation that was mailed to the parents, the number of mailings (detailed by U.S. mail and e-mail) sent to the parents, the date on which the mailings were sent to parents, the number posted, the dates of posting, and the locations of posting.

III. Training

- A. By February 28, 2021, the District will provide training to all faculty, staff, and

