

**Voluntary Resolution Agreement
Harford County Schools
OCR Complaint No. 03231184
Philadelphia Office**

The U.S. Department of Education, Office for Civil Rights (OCR) and Harford County Schools (the District) enter into this Voluntary Resolution Agreement (Agreement) to resolve the allegations in the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. Prior to the completion of OCR's investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual (CPM).

The District assures OCR that, to resolve the issues of this investigation, it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. Section 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. Sections 12131, and its implementing regulation at 28 C.F.R. Part 35, which prohibits discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

ACTION ITEM 1

By October 1, 2023, the District will convene a meeting between the teachers for the Student during the [Redacted content] academic year and the counselor and /or principal to discuss the implementation of the Student's Section 504 plan, allowing teachers to ask any questions about the meaning of terms and/or provisions in the Student's Section 504 plan.

REPORTING REQUIREMENTS:

1. By October 15, 2023, the District will submit to OCR documentation showing that the meeting described in Action Item 1 took place, including:
 - a. The date of the meeting;
 - b. A list of attendees, by name and title; and
 - c. A copy of any meeting minutes or notes.

ACTION ITEM 2

By October 1, 2023, the District will convene a Section 504 team meeting to include a group of persons knowledgeable about the Student, to determine whether the Student suffered any educational loss as a result of the District's alleged failure to implement the Student's 504 during the [Redacted content] school year. The District will invite the Student's parents to attend the meeting at least 15 calendar days in advance of the meeting and will allow them seven (7) calendar days from the date of receipt of the letter to submit a written response to the invitation.

If the Team determines that the Student suffered an educational loss, it will then determine whether the loss entitles the Student to compensatory education services. In making this

determination, the Team will adhere to the requirements of 34 C.F.R. § 104.35 (evaluation and placement) and § 104.36 (procedural safeguards). The District will provide the Student's parents with a meaningful opportunity to provide input into the Team's determination.

If the Team determines that the Student is entitled to compensatory education or services, the Team will develop a plan for providing the required education or services, and the District will provide such education or services in addition to any other service to which the Student is entitled.

REPORTING REQUIREMENT:

1. By October 15, 2023, the District will submit to OCR documentation showing that the meeting described in Action Item 2 took place and reflecting the Team's decision, including:
 - a. a copy of the invitation to the Student's parents;
 - a. a list of attendees by name and title;
 - b. the information considered by the Team;
 - c. an explanation for all decisions made, including the Team's decision as to whether the Student suffered an educational loss;
 - d. a description of the types of compensatory education or other remedial service options discussed, if applicable;
 - e. a description of and schedule for providing compensatory and/or remedial services to the Student for educational loss (if any);
 - f. confirmation that the procedural safeguards were provided to the Student's parents;
 - g. a copy of any meeting minutes or notes; and
 - h. documentation that any compensatory and/or remedial services that the Team determined were appropriate were actually provided;
2. If the Team decides during the meeting described in Action Item 2 that the Student is entitled to compensatory and/or remedial services, the District will provide documentation to OCR by February 15, 2023, confirming that the Student received said compensatory and/or remedial services.

By signing this 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 resolution agreement, if necessary, OCR may visit the recipient, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the recipient has fulfilled the terms of the resolution agreement.

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

