

**Resolution Agreement**  
**GWINNETT COUNTY SCHOOL DISTRICT**  
**GEORGIA**  
**OCR Docket Number 04-17-1316**

The U.S. Department of Education, Office for Civil Rights (OCR) and the Gwinnett County School District (District) enter into this Resolution Agreement (Agreement) to resolve the allegation in complaint number 04-17-1316. The District assures OCR that 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. § 794, and its implementing regulation at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance from the Department, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12132 et seq., and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public entities.

Pursuant to Section 303(b) of OCR's Case Processing Manual, to resolve the issue of this investigation, the District agrees to implement the following corrective actions.

**Student-Focused Remedies**

1. Within 30 days of signing this Agreement, or if the Student is not enrolled at the time of the Agreement, within 30 days of the Student's re-enrollment, the District will convene an Individualized Education Program (IEP) meeting to ensure parties share an understanding of the terms of the Student's IEP (e.g., whether, in the future, textbooks are required in hard copy or can be provided online), and to determine what, if any, compensatory educational services the Student requires following the delay in receiving extra sets of textbooks. The District will amend Student's IEP as necessary after this meeting. The Complainant shall be provided appropriate notice and opportunity to attend the meeting.
2. Within 15 days after the IEP meeting (contingent upon the Student's enrollment in the District), the District will provide the Complainant with written notice of the outcome of the meeting, and will inform the Complainant of the applicable procedural safeguards, in accordance with the requirements of 34 C.F.R. § 104.36.
3. Within 30 days of signing this Agreement, the District will provide the Complainant with written confirmation (via certified mail, return receipt requested) that the Student is entitled to one summer school course, funded by the District, during the summer of 2018 (contingent upon the Student's enrollment in the District).

**Reporting Requirements:**

**Within 15 days of the convening of the IEP meeting**, the District will provide documentation to OCR demonstrating that the IEP meeting required by Item #1 of the Agreement was completed. The District shall produce documentation reflecting all meeting attendees, records of all information and documentation considered or

discussed in determining whether compensatory educational services are needed, and an explanation for the decisions made.

**Within 45 days of signing this Agreement**, the District will provide OCR with a copy of the certified letter to the Complainant, referenced in Item #3 above. The District will also provide OCR with any communication(s) from the Complainant in response to the District's letter.

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, 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 in compliance with the Section 504 implementing regulation, at 34 C.F.R. §§ 104.33, and the Title II implementing regulation, at 28 C.F.R. § 35.130. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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 sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon signature of the Superintendent or Designee below.

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**Superintendent (or Designee)**

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**Date**