

RESOLUTION AGREEMENT
Chatham County School District
OCR Complaint #04-19-1263

OCR and Chatham County School District (the District) enter into this agreement to resolve the allegation in the above-referenced complaint. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District assures the U. S. Department of Education, Office for Civil Rights, (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. 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 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

Prior to the completion of OCR's investigation, the District agreed to resolve the issues relating to Allegation 1 of this complaint pursuant to Section 302 of OCR's *Case Processing Manual*. OCR has made no final determinations of noncompliance by the District. However, to ensure compliance with Section 504 and Title II and resolve this complaint, the District agrees to take the following actions:

Action Item 1-Individual Remedy

By August 19, 2019, the District will provide proper written notice to the Complainant inviting Students A and B back to the District to reenroll into the District for the 2019-2020 school year. If the Complainant agrees to reenroll Students A and B, then the District will convene separate meetings for Students A and B of persons knowledgeable about each Student to determine if Students A and B need compensatory education or other counseling resulting from the alleged harassment they were subjected to during the 2018-2019 school year. If so, within 1 week of its determination, the group will develop a plan for providing timely compensatory and/or remedial services (Plan). The District will provide the Complainant with notice of the District's procedural safeguards including the right to challenge the group's determination through an impartial hearing.

Reporting Requirement

- (a) By September 15, 2019, the District will submit to OCR (i) copies of the documentation from the District to the Complainant inviting Students A and B to return to the District.
- (b) By September 15, 2019, if the Complainant accepts the invitation to return to the District, the District will submit to OCR (i) minutes from the meetings described in Action Item 1, (ii) supporting documentation showing the group's decision as to whether compensatory and/or remedial services are needed, including documentation showing the participants in the meeting, an explanation for the decisions made, the

information considered, and a description of and schedule for providing compensatory and/or remedial services (if any) to the Student, and (iii) evidence that the Complainant was provided with procedural safeguards.

Action Item 2-Training for Teachers

By August 30, 2019, the District shall initiate comprehensive training on harassment to staff members and teachers who were accused by the Complainant of assault and verbal attacks on Students A and B.

Reporting Requirement

By October 2, 2019, the District will provide OCR with documentation of the training, including a copy of the training materials, the training sign-in sheets, the date(s) of training, and the name and title of the trainer.

Action Item 3-Investigation of Alleged Harassment

By October 15, 2019, the District will conduct an internal investigation pursuant to its Section 504 Grievance Procedures into the alleged harassment against Student A and B during the 2018-2019 school year. The investigation will allow for the Complainant and the accused to provide evidence and witnesses.

Reporting Requirement

By November 1, 2019, the District will submit to OCR (i) documentation of its investigative findings, (ii) copies of letters sent to the parties notifying them of the outcome of the investigation, and (iii) any proposed actions against District staff, if the investigation shows wrongdoing by District staff.

Action Item 4-Expunge Students' Disciplinary Records

By October 1, 2019, the District will expunge from all District records the suspension that Student A received on October 16, 28, and the suspension that Student B received on October 12, 2018.

Reporting Requirement

By November 1, 2019, the District shall provide both Students official transcript to OCR, as well as copies of any other documents that have been amended pursuant to this Agreement.

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 the 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 and obligations of this Agreement. Upon the District's satisfaction of the commitments made under this Agreement, OCR will close this case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will 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 the signature of the District's representative below.

Superintendent or Designee

Date