

RESOLUTION AGREEMENT
DeKalb County School District (Georgia)
Complaint Number 04-22-1705

The U.S. Department of Education, Office for Civil Rights (OCR) and the DeKalb County School District enter into this Resolution Agreement to resolve the allegation of discrimination contained in the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance or wrongdoing by the school system. The school system submits to this Agreement to ensure compliance with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulations, at 34 C.F.R. Part 104, which applies to entities that receive Federal financial assistance; and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12131, *et seq.*, and its implementing regulations, at 28 C.F.R. Part 35, which applies to public entities.

Prior to the completion of OCR's investigation, the school system agreed to resolve the issue of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to ensure compliance with Section 504 and Title II and resolve the issue in OCR complaint number 04-22-1705, the school system agrees to take the following actions:

I. Placement Team Meeting

A. Within thirty (30) calendar days from the execution of this Agreement, the school system shall send a letter via the Complainant's last known email and mailing addresses to invite the Complainant and the Student to participate in a Section 504 meeting to evaluate whether he is entitled to compensatory educational and related services for fall 2022. The school system shall permit the Student fourteen (14) calendar days to respond to the invitation.

B. Within thirty (30) calendar days of the Complainant's response to the letter referenced in Paragraph 1, the school system shall convene a Section 504 meeting to determine whether the Student is entitled to compensatory educational and related aids and services as a result of the school system's non-provision of services for math for fall 2022.

REPORTING REQUIREMENT:

Within thirty (30) calendar days of the Section 504 meeting convened in response to Paragraph I. (B), the school system will provide OCR with the following: a copy of the letter issued to the Complainant consistent with Paragraph I. (A); and documentation that confirms that the school system convened a Section 504 meeting to determine whether the Student is entitled to compensatory educational and related services. The documentation shall include detailed notes that reflect the team's decision and related correspondence regarding the Student's entitlement to compensatory educational and related aids and services.

II. Training

Within sixty (60) calendar days of the effective date of this Agreement, the school system will provide Section 504/Title II training(s) for the Student’s fall 2022 math teacher regarding the obligation to ensure the provision of a free appropriate public education. The training shall be conducted by qualified individual(s) with demonstrated knowledge/experience of the requirements of Section 504 and Title II to ensure free appropriate public education, including the implementation of related aids and services.

REPORTING REQUIREMENT: Within thirty (30) calendar days of the school system’s completion of the training referenced in Paragraph III, the school system will provide OCR with a report confirming the completion of the training(s), including: (a) the background and qualifications of the presenter(s)/trainer(s); (b) a copy of the transcript(s)/materials used for the trainings; (c) dated sign-in sheet(s) that include the name and title of all administrators and faculty/staff who completed the training(s); and, (d) the school system’s plans to offer the training to school system staff, administrators and faculty who were unable to attend the scheduled training session(s).

The school system 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 school system understands that during the monitoring of this Agreement, if necessary, OCR may visit the school system, 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. Upon the school system’s satisfaction of the commitments made under the Agreement, OCR will close the case.

The school system 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 school system representative below.

Superintendent or Designee

Date