

**Resolution Agreement
Pulaski County Special School District
OCR Case No. 06-19-1580**

The U. S. Department of Education, Office for Civil Rights (OCR) and Pulaski County Special School District (District), Little Rock, Arkansas, enter into this Resolution Agreement (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 OCR that it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35.

The District agreed to voluntarily resolve these issues pursuant to Section 302 of OCR's *Case Processing Manual*.¹ To resolve the allegations of this complaint, the District agrees to take the following actions:

1. The District will issue a memorandum to all teachers responsible for providing educational services to the Student reminding staff of their obligations to implement the Student's current Section 504 Plan. The District will also offer to teachers the opportunity to meet with the District's Section 504 Coordinator to discuss how to appropriately implement the home/school communication requirements of the Student's Section 504 Plan.

REPORTING REQUIREMENT: By _____, the District will provide OCR with a copy of the memorandum issued to relevant staff.

2. For the 2019-20 school year, the District will proactively monitor the implementation of the home/school communications provision(s) in the Student's Section 504 Plan, including weekly updates and prompt notification to the Complainant of any missing assignments.

REPORTING REQUIREMENT: By _____, the District will provide OCR copies of the weekly updates sent from the Student's teachers to the Complainant and copies of communication from the Student's teachers to the Complainant notifying Complainant of any of the Student's missed assignments.

3. During the duration of this Agreement, the District will provide OCR with an updated copy of the Student's Section 504 Plan, if it is revised during the 2019-20 school year.

REPORTING REQUIREMENT: The District will provide OCR a copy of the Student's Section 504 Plan, if it is revised during the 2019-20 school year, within 15 days of any revision.

¹ The *Case Processing Manual* is available on OCR's website at <http://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.pdf>.

4. By _____, the District will identify any missing assignment submissions from the Student’s Spring 2019 world history class¹ and develop a plan to allow the Student a reasonable amount of time to complete and submit the missing assignments. The identified missing assignments and plan will be communicated to the Student and the Complainant. The District will review any of the work submitted by the Student that has been identified as a missing assignment from the Student’s Spring 2019 world history class, under the terms and conditions of the plan, and the Student’s grade for his Spring 2019 world history class, and his official transcript of grades, will be amended to reflect any grade change resulting from the submitted work.

REPORTING REQUIREMENTS:

- a) By _____, the District will provide OCR a copy of the District’s plan to inform the Complainant of the Student’s missed assignments for his Spring 2019 world history class, and the District’s plan and timeframe to accept and review the missed assignments.
- b) By _____, the District will also provide OCR with a copy of the Student’s transcript of grades, and will state whether the Student submitted any missing assignments under the plan and, if so, whether the submission of the missed assignments changed the Student’s grade for his Spring 2019 world history class. If the Student submitted assignments under the plan, but the assignments did not result in a change in grade, the District will provide an explanation of why the Student’s grade remained the same.

The District understands that by signing this Agreement, it agrees to provide the foregoing 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 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35. Upon completion of the obligations under this Agreement, OCR shall close 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.

Dr. Charles McNulty, Superintendent

Date

¹ The Complainant advised OCR the missing assignments for the Student’s other 2018-19 school year classes had been identified and submitted to the District by the end of the 2018-19 school year, except for the Spring 2019 world history class.