

**Voluntary Resolution Agreement
Fairfax County Public Schools
OCR Complaint No. 11-13-1290**

Fairfax County Public Schools (the Division) agrees to implement this voluntary resolution agreement to resolve Office for Civil Rights (OCR) Complaint No. 11-13-1290.

GENERAL PROVISIONS

1. This Agreement does not constitute an admission by the Division of any violation of Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.
2. OCR has made no determination that the Division has violated § 504, Title II, or any other law enforced by OCR, and full implementation of this Agreement by the Division resolves the allegations in OCR Complaint No. 11-13-1290. Consistent with the last two paragraphs of this Agreement, after receipt of the documentation described in the Reporting Requirements of this Agreement, OCR will close this complaint and the monitoring of the Agreement, and OCR's closure will make no findings of a violation of § 504, Title II, or any other law enforced by OCR.

SUBSTANTIVE PROVISIONS

1. By **March 21, 2014**, the Division will provide training to relevant Division personnel involved in this complaint who were responsible for supervising the Section 504 plan development as well as to administrators and school staff at XXXX who are responsible for implementing Section 504 plans, about the procedural requirements of Section 504 and implementation of disability-related services. The training will address, at a minimum, the Division's responsibility to, and its process for, identifying and evaluating students who are believed to need special education services, and implementing those services.

Reporting Requirement:

By **February 21, 2014**, the Division will provide for OCR's review and comment a draft of the planned training, including the name(s) and title(s) of the trainer(s) and any handouts or presentations developed.

By **March 28, 2014**, the Division will submit to OCR the name(s) and title(s) of the trainer(s), the date of the training, the material used or disseminated, and the sign-in sheets or other documentation indicating the names and titles of participants.

The Division understands that OCR will not close the monitoring of this Agreement until OCR determines that the Division has fulfilled the terms of this Agreement and is compliance with the regulation implementing Section 504, at 34 C.F.R. Sections 104.4, 104.33, 104.35, and 104.36 which were at issue in this case. The Division 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 Division understands that during the monitoring of this Agreement, if necessary, OCR may visit the Division, with proper notice to the Division, interview staff and students,

and request such additional reports or data as are necessary for OCR to determine whether the Division has fulfilled the terms of this Agreement and is compliance with the regulation implementing Section 504, at 34 C.F.R. Sections 104.4, 104.33, and 104.35, which were at issue in this case.

The Division 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 Division written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

/s/

2/4/14

Superintendent or designee
Fairfax County Public Schools

Date