

**Resolution Agreement
Mathews County Public Schools
OCR Complaint No. 11-14-1017**

Mathews County Public Schools (the Division) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-14-1017.

Action Item: The Division will develop a procedure through which parents or guardians may obtain an impartial hearing (including opportunity for participation by the parents or guardian and representation by counsel) and review procedure to challenge actions regarding the identification, evaluation, or educational placement of persons who, because of disability, need or are believed to need special instruction or related services. The Division will revise its Notice of Rights and Procedural Safeguards for Students with Disabilities and Their Parents under Section 504 of the Rehabilitation Act of 1973 (“Notice”) to reflect this procedure.

Reporting Requirement: By **April 30, 2014**, the Division will provide for OCR’s review and approval a copy of the revised Notice, including a description of the impartial hearing and review procedure.

Reporting Requirement: Within 20 calendar days of OCR’s approval of the revised Notice, the Division will provide information to OCR demonstrating (1) that the revised Notice has been published on the Division’s website and (2) that parents in the Division have been notified by e-mail that the Notice has been revised and where they may find a copy of the Notice on the Division’s website.

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 in compliance with the regulations implementing Section 504, at 34 C.F.R. Part 104 and Title II, at 28 C.F.R. Part 35, 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, 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 in compliance with the regulations cited above.

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.

Although OCR has identified the compliance concerns cited above, this Agreement does not constitute an admission by the Division of any violation of Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, or Title II of the Americans with Disabilities Act (Title II), 42 U.S.C. § 12131 *et seq.* or the implementing regulations of these statutes.

Full implementation of this Agreement by the Division resolves this case.

/s/

Superintendent
Mathews County Public Schools

3/26/2014
Date