

VOLUNTARY RESOLUTION AGREEMENT
Clarendon County School District One
OCR Complaint No. 11-14-1213

Clarendon County School District One (the District) voluntarily enters into this resolution agreement (the Agreement) with the U.S. Department of Education's Office for Civil Rights (OCR) to resolve the above-referenced complaint. This Agreement does not constitute an admission of discrimination or other wrong doing and OCR has made no determination that the District has violated 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 laws enforced by OCR.

I. COMMITMENTS

1. By July 25, 2014, the District will convene a group of persons knowledgeable about the Student (such as the IEP or Section 504 team), to determine the following:
 - a. Whether the Student's Section 504 Plan (the Plan) was consistently implemented (i.e., all of the related aids and services were provided by all teachers and administrators); and
 - b. Whether the Student's academic records need to be revised if he received a grading penalty for the submission of late assignments.

At the meeting, if it is determined that the Plan was not consistently implemented, the team will determine whether the Student is due any compensatory and/or remedial services for the District's failure to implement the Plan.

- a. If the group or team of knowledgeable people determines that the Student is due compensatory and/or remedial services, the group must also determine the amount and type of compensatory and/or remedial services due to the Student and the time and location at which the services will be provided.
- b. Should the District determine that no compensatory and/or remedial services are necessary; the District will provide a written explanation of the reasons for that determination, along with any supporting documentation.
- c. In making the above determinations, the District will ensure that it draws on all available and relevant information from a variety of sources; that this information is documented and carefully considered; and that the decision is made by a group or team of people knowledgeable about the Student, his disability, the meaning of any evaluation data, and placement/alternative options. The District must also provide the Complainant with notice of the procedural safeguards under 34 C.F.R. § 104.36.

Reporting Requirement:

- a. By August 8, 2014, the District will submit to OCR for review and approval a copy of the meeting minutes from the team meeting or similar documentation from the meeting referenced in Provision 1 above and copies of any information/documents considered by the team in reaching its decision, including the rationale for any decision made. This information should also include the names and titles of all meeting participants.
 - b. Within fifteen (15) days after OCR's review and approval of the information submitted as a part of Reporting Requirement (a), the District will submit to OCR a copy of the letter or similar notice given to the Complainant that informs her of the outcome (i.e., any determination made and the rationale for the determinations) of the meeting held as a result of Provision 1
 - c. Within fifteen (15) of OCR's approval of its decision whether to revise the Student's academic records, the District will implement its decision and provide documentation to OCR that it has done so.
 - d. If the team determines that the Student is due compensatory and/or remedial services, the District must provide the Complainant with a written offer/plan regarding the provision of the approved compensatory and/or remedial services to the Student.
 - e. If the Complainant accepts the District's offer, the District will begin providing the services to the Student within fifteen (15) calendar days from the date of its receipt of the acceptance of the District's offer, or at a later date, if agreed upon by the Complainant. OCR reminds the District that the compensatory and/or remedial services shall be delivered in a manner so as not to hinder the delivery of any services that are required by the Student's current education program and have a completion date not to extend beyond Jan 30, 2015.
 - f. On Sept 15, 2014, the District will provide documentation to OCR of the dates, times, and locations that any compensatory and/or remedial services were provided, and the name(s) of the service provider(s) or any attempts made to deliver such services.
2. By August 13, 2014, the District will schedule training (either in-person or web-based) that will be provided by OCR Metro staff. The training will discuss the District's obligation to provide a Free Appropriate Public Education (FAPE) to students with disabilities, and that the provision of a FAPE includes, but is not limited to, implementation of Section 504 Plans. The District's Section 504 Coordinator and other District staff who provide direct instruction to students within the District will attend the training.

Reporting Requirement: Within ten (10) days after the training, the District will provide

