

## **RESOLUTION AGREEMENT**

Wilson County Public Schools  
OCR Complaint No. 11-14-1259

Wilson County Public Schools (the District) agrees to fully implement this resolution agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-14-1259. This Agreement does not constitute an admission by the District of a 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.

1. The District will provide written notice to the Complainant of a mutually agreeable date and time that the District will convene an Individualized Education Program (IEP) meeting of a group of persons knowledgeable about the Student, including the Complainant. At the meeting, the team will determine whether the Student's IEP was consistently implemented by XXXX, specifically whether the Student was provided with XXXX.

If it is determined that the IEP was not implemented, the team will develop a plan for providing compensatory services for the Student's XXXX to address any situations where the Student did not receive XXXX. The group will develop a plan for providing XXXX have been provided. All services should be completed before the end of the 2014-2015 school year.

The District will provide the Complainant notice of the procedural safeguards including the right to challenge the group's determination through an impartial due process hearing.

### **Reporting Requirements:**

By 12/19/2014, the District will provide OCR a copy of the letter sent to the Complainant notifying her of the IEP meeting date and time.

By 01/12/2015, the District will convene the IEP meeting ensuring detailed notes are taken to record the team's discussions and decisions.

By 01/20/2015, the District will provide OCR with a copy of the meeting minutes or similar documentation from the meeting referenced above, including an explanation for decisions made with respect to whether the Student's IEP was consistently implemented by her XXXX. If it is determined that the Student is to receive compensatory services, the District must also provide OCR with a description of and schedule for providing compensatory services to the Student. OCR will review the documentation submitted to ensure that the District met the procedural and other requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, in making these determinations.

By 01/20/2015, the District will provide OCR with a copy of the Complainant's response to the offer. If no written response was provided by the Complainant, the District will provide OCR a report summarizing any other communication with or response from the Complainant.

By **June 12, 2015**, the District will provide documentation to OCR of the dates, times and locations that compensatory services were provided, a description of the services provided, and the name(s) of the person(s) providing the compensatory service provider along with any XXXX.

2. The District will provide training to the XXXX on the policies and procedures regarding the District's obligation under Section 504 and Title II to provide students with disabilities with a free appropriate public education. The training will also discuss the implementation of a student's IEP and Section 504 plan provisions, specifically explaining how to implement provisions such as XXXX

**Reporting Requirement:**

By 01/30/2015, the District will notify OCR of the name and qualifications of the District staff who will be conducting the teacher training and when the training will be held.

By 02/27/2015, the District will submit documentation that the training is complete.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulation 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 District 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 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 the regulation implementing Section 504, at 34 C.F.R. Part 104, and with the regulation implementing Title II at 28 C.F.R Part 35, which were at issue in 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.P.R. §§ 100.9, 100.10) or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

/s/  
**Superintendent**  
Wilson County Public Schools

12/4/2014  
Date