

Voluntary Resolution Agreement
Manassas Park City Schools
OCR Complaint #11-15-1030

Manassas Park City Schools (the Division) voluntarily enters into this resolution agreement with the Office for Civil Rights (OCR) to resolve Complaint No. 11-15-1030. 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. Further, OCR has made no determination that the Division has violated Section 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. 11-15-1030. 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 Section 504, Title II, or any other law enforced by OCR.

No later than March 1, 2015, the Division (or at the Division's request OCR) will provide training to the administration and licensed staff at XXXX School on the Division's legal obligations under Section 504. At a minimum, the training will cover the following:

1. The process and procedures for when and how to conduct an evaluation for a student who may have a disability. The training should include examples of what to look for, and for the appropriate steps needed to conduct a complete evaluation.
2. The process and procedures for knowing when to conduct a manifestation determination review for a student, prior to removing a student for behavioral issues relating to a known or suspected disability.
3. Training should include what type of information must be considered when making a determination to evaluate a student or making a manifestation determination, who must be present at any meetings, and what are the correct standards to apply in the final determinations.

Reporting Requirements:

1. If the Division elects to conduct their own training, ten calendar days before the scheduled training, the Division will submit to OCR for its review and approval the name and qualifications of the individual providing the training required above, a copy of the draft presentation and all handouts to be provided.
2. The Division will provide OCR with a copy of the training sign in sheet within ten days of the completion of the training.

The Division understands that OCR will not close the monitoring of this Agreement until OCR determines that the Division has fulfilled the terms of the Agreement and is in compliance with the regulation implementing Section 504, at 34 C.F.R. Part 104, which was at issue at 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 and with proper notice to the Division, 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 regulation implementing Section 504.

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.

FOR THE DIVISION:

_____/s/_____
Eric Neff
Deputy Superintendent

____1/21/2015_____
Date