

**RESOLUTION AGREEMENT**  
**Newberry County School**  
***OCR Case No. 11-15-1192***

Newberry County School District (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-15-1192. This Agreement does not constitute an admission by the District of a violation of Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.

1. By November 1, 2018, the District will develop and provide training to the administrators and teachers of XXXX ("School") on the requirements of Section 504 and Title II. The training will emphasize the Division's obligations under Section 504 to provide a free appropriate public education (FAPE) to students with disabilities, specifically, implementation of a student's behavior intervention plan and manifestation determination reviews. The training will cover the Division's obligation to proceed with manifestation determination reviews even in instances when parents/guardians do not respond to meeting notices or fail to appear at meetings.

Reporting Requirement:

By October 15, 2018, the District will submit for OCR's review and approval the proposed training materials. The District will also identify the individual(s) who will conduct the training and their qualifications.

By November 15, 2018, the District will provide documentation to OCR demonstrating that training was provided, including: (i) the name(s) of the individual(s) who conducted the training; (ii) a list of the individuals who attended the training and their positions; (iii) the date(s) the training was conducted; and (iv) copies of any training materials disseminated.

2. By November 1, 2018, the District will provide mandatory retaliation training to the School's administrators and teachers. At a minimum, the training will include: (i) guidance describing the basic principles of retaliation, including notice that the District may not retaliate against any individual asserting a right or privilege secured by the Federal civil rights laws or regulations enforced by OCR; (ii) guidance on who is protected, what constitutes a protected activity, and what constitutes a prohibited adverse action; (iii) contact information for individuals to file complaints with the District or OCR; and (iv) a discussion of the District's retaliation policies and procedures.

Reporting Requirements:

By October 15, 2018, the District will provide OCR with the title and qualifications of the trainer, copies of the agenda, and any training materials for OCR's review and approval to ensure that the proposed training satisfies the requirements of Action Item 2.

By November 15, 2018, the District will provide OCR with documentation confirming completion of the required training, including: (a) the date of the training session; and (b) a sign-in sheet including a list of the names, signatures, and titles of the District personnel who participated in the training session.

3. By November 1, 2018, the District will provide training to the School's administrators and teacher. The trainings will include but not be limited to reviewing the School's referral process and behavior management policies, practices, and procedures and discussing the School's commitment to using its policies to ensure a safe and orderly educational environment and the fair and equitable treatment of all students when addressing student behavior. The trainings will provide evidence-based techniques on behavior management and de-escalation approaches, including positive behavior interventions, information on how to administer discipline fairly and equitably, resources that are available to staff who are having difficulty with behavior management, resources that are available to students to assist them in developing self-management skills, and the value of recognizing and reinforcing positive student behavior.

**Reporting Requirement:**

By October 15, 2018, the District will submit for OCR's review and approval the proposed training materials. The District will also identify the individual(s) who will conduct the training and their qualifications.

By November 15, 2018, the District will provide documentation to OCR demonstrating that training was provided, including: (i) the name(s) of the individual(s) who conducted the training; (ii) a list of the individuals who attended the training and their positions; (iii) the date(s) the training was conducted; and (iv) copies of any training materials disseminated.

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 the 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. Upon the District's satisfaction of the commitments made under this Agreement, OCR will close 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.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Name and Title