

**RESOLUTION AGREEMENT**  
**Charlotte-Mecklenburg Schools**  
*OCR Case No. 11-15-1250*

Charlotte-Mecklenburg Schools (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-15-1250. 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. If the Student is again enrolled in a District school within two years of the date of this agreement, the District will, within 30 days of the enrollment of the Student in a District school: evaluate the Student to determine whether, with respect to his nut allergy and digestive impairment, he is a student with a disability under Section 504 and, in doing so, it will: (i) draw upon a variety of sources; (ii) document and carefully consider the medical and other information obtained from all sources; (iii) ensure that the Student's Section 504 Plan is developed by a group of individuals knowledgeable about the Student, the meaning of the evaluation data, including any medical evidence, and the placement options; and (iv) notify the Complainant of her due process rights.

**Reporting Requirements**

Within 60 days of the enrollment of the Student in a District school, the District will provide OCR with a narrative description of and all documentation relating to its efforts to fulfill the commitments in Provision 1 and all resulting actions taken, including the meeting minutes or similar documentation from the meeting, explanations for decisions made, all of the evidence considered, the Section 504 Plan, and the due process notice provided to the Complainant.

2. If the District determines that the Student is in need of a Section 504 Plan, it will promptly develop and implement a plan in accordance with Section 504.

**Reporting Requirements**

If the District determines that the Student is in need of a Section 504 Plan, the District will, within 60 days of the determination, provide OCR with a narrative description of and all documentation relating to the District's efforts to fulfill the commitments in Provision 2 and all resulting actions taken, including copies of all meeting notes and minutes, all of the evidence considered, all decisions, and the resulting Section 504 Plan.

3. District will maintain such documentation of the above commitments as is needed to demonstrate that it has fulfilled those commitments.

The District understands that: (1) OCR will not close the monitoring of this Agreement until it determines that the District has fulfilled its terms and is in compliance with the regulations implementing Section 504 and Title II at, respectively, 34 C.F.R. Part 104 and 28 C.F.R. Part 35; (2) by signing this Agreement, it agrees to provide data and other information in a timely manner during the monitoring process; (3) 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 regulations referenced above; and (4) OCR may initiate administrative or judicial proceedings (see 34 C.F.R. §§ 100.9, 100.10) to enforce the specific terms and obligations of this Agreement, but before doing so OCR will give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

By: \_\_\_\_\_/S/\_\_\_\_\_ Date:\_\_\_\_\_11/8/15\_\_\_\_\_

Ann Clark, Superintendent  
Charlotte-Mecklenburg Schools