

RESOLUTION AGREEMENT
Northumberland County Schools
OCR Case No. 11-16-1313

Northumberland County Schools (the Division) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-16-1313. This Agreement does not constitute an admission by the Division 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.

STUDENT-SPECIFIC REMEDY

1. By September 12, 2016, after providing proper written notice to the Student's parent/guardian, the Division will convene a group of persons knowledgeable about the Student, making all reasonable efforts to include the parent/guardian, with the purpose of developing a plan for providing compensatory and/or remedial services to the Student for the time period the Student did not receive appropriate regular and/or special education or related services, from February 2016 to March 2016. The group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond January 30, 2017. The Division will provide the Student's parent/guardian with notice of the procedural safeguards, including the right to challenge the group's determination through an impartial hearing.

Reporting Requirements:

- a. Within one week of the meeting, the Division will submit to OCR a copy of the meeting minutes or similar documentation from the meeting, including an explanation for decisions made, a description of and schedule for providing compensatory and/or remedial services to the Student, the notice of procedural safeguards, the written invitation to the Student's parent/guardian, and a list of meeting attendees. OCR will review the documentation submitted to ensure that the Division 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.
- b. Within 10 calendar days after receiving OCR's approval, the Division will provide the Student's parent/guardian with written notice of the outcome of the meeting, including an explanation for decisions made and a description of and schedule for providing compensatory and/or remedial services to the Student. The Division will provide a copy of this written notice to OCR.
- c. By January 30, 2017, the Division will provide documentation to OCR of the dates, times, and locations that compensatory and/or remedial services were provided, a description of what was provided, and the name(s) of the service provider(s).

TRAINING

2. By September 15, 2016, the Division will provide training to XXXX School (the School) personnel responsible for developing and/or implementing students’ Section 504 plans and/or individualized education programs (IEPs). The training will address the requirements for implementing a Student’s Section 504 plan or IEP.

Reporting Requirements:

- a. By August 2, 2016, the Division will provide for OCR’s review and approval a copy of the proposed training materials, including the name(s), title(s), and qualifications of the trainer(s), and copies of any agendas, handouts, or presentations developed for this training. The Division will make the training mandatory for all personnel at the School who participate in any capacity in the Section 504 process.
- b. By September 22, 2016, the Division will provide OCR with documentation confirming completion of the required training, including: (a) the date of each training session(s); and (b) a list of names and titles of the District personnel who participated in each training session.

The Division understands that OCR will not close the monitoring of this Agreement until OCR determines that the Division has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 and Title II at 34 C.F.R. Part 104.

The Division understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the Division understands that during the monitoring of this Agreement, 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 and Title II at 34 C.F.R. Part 104, which was at issue in this case.

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.

By: _____/S/_____ Date: _____7/20/16_____

Name and Title