

RESOLUTION AGREEMENT
Loudoun County Public Schools
OCR Case. No. 11-16-1420

Loudoun County Public Schools (the Division) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-16-1420. This Agreement does not constitute an admission by the Division of a violation of 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. The Division will develop policies and procedures to address reasonable accommodation requests made by adult students with disabilities in the Adult Education GED Prep Program (the Program).

Reporting Requirement: No later than April 30, 2018, the Division will provide OCR with its proposed draft policies and procedures for review and approval. OCR will make good faith efforts to respond with comments within 21 business days. Once finalized, the policy will be submitted for approval to the School Board as an agenda item.

2. Once the policy is approved by the School Board, the Division will publish the policy described above on the Program's webpage and will email the policy to all Program staff members. The draft policy, like all School Board policies, is subject to any and all revisions deemed necessary by the School Board. If changes are made, OCR must review the revised policies prior to publication.

Reporting Requirement: Within 15 business days of publishing the policy on the Program's webpage, the Division will submit to OCR a copy of the email sent to Program staff members and a link to the webpage that contains the published materials.

3. Within 60 days of the publication of the policy described above, the Division will provide mandatory training(s) on the policies and procedures described in item 1 to any Division staff members who will be involved in the accommodations process including, at a minimum, the Program Coordinator, the Director of Instructional Programs, the Program's Building Supervisor, the Program's Lead Teacher, and the Division's Transition Specialist.

Reporting Requirement: At least two weeks prior to the scheduled training, the Division will provide OCR with the name and qualifications of the trainer and an outline of the training content for OCR approval.

Reporting Requirement: Within 30 days of the completion of the training(s), the Division will provide copies of sign-in sheets or other documentation of participation from the training sessions.

4. Should the Student return to the Program at any time, the Division will re-engage in the accommodations process with the Student consistent with the policy developed under item 1. The Division will allow the student's father to participate in this process if the Student consents. The Division will provide advance notice to the Student of any meetings with Program staff members and will allow her to have her father present for any and all meetings (both during the accommodations process and after) if she requests his presence. The Division will also provide written notice to the Student of the accommodations to be provided and written notice of any changes that may be made to her accommodations.
5. Within 30 days of the signing of this agreement, the Division will refund the Student or the Student's father (whichever party made the payments) for all classes the Student repeated while in the Program for a total of XXXX. The Division will also reimburse the Student or Complainant (whoever makes the payment) up to XXXX for a GED prep course by an outside organization (i.e. XXXX) if the Student enrolls in, and requests reimbursement for, the course within six months of the signing of this agreement.

The refund described above is to be provided for the following courses:

- a. XXXX
- b. XXXX
- c. XXXX
- d. XXXX
- e. XXXX
- f. XXXX

Reporting Requirement: Within one week after payment is made, the Division will provide OCR with proof of the refund and, if applicable, reimbursement made to the Student or Complainant.

The Division understands that by signing this Agreement, it agrees to provide the data referenced above 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 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 at 34 C.F.R. Part 104 and the regulation implementing Title II at 28 C.F.R. part 35, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close 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/_____
Name and Title

Date: 01/18/2018