

**RESOLUTION AGREEMENT**  
**Lenoir County Public Schools**  
***OCR Case No. 11-16-1462***

Lenoir County Public Schools (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-16-1462. This Agreement does not constitute an admission by the District 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), the Age Discrimination Act of 1975 (the Age Act), or any other law enforced by OCR.

1. By May 15, 2018, after providing proper written notice to the Student's parent/guardian, the District will convene a group of persons knowledgeable about the Student, making all reasonable efforts to include the parent/guardian, with the purpose of determining whether the Student received appropriate regular and/or special education or related services from XXXX to XXXX. If applicable, the group will develop a plan for providing timely compensatory services with a completion date not to extend beyond October 15, 2018. The District 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 due process hearing.

Reporting Requirements:

- a. Within one week of the meeting, the District 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 (if any) 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 District 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 District 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 (if any) to the Student. The District will provide a copy of this written notice to OCR.
  - c. By October 22, 2018, the District will provide documentation to OCR of the dates, times, and locations that compensatory and/or remedial services were offered and/or provided, a description of what was provided, and the name(s) of the service provider(s).
2. By September 30, 2018, the District will train all instructional staff and administrators at the School and the District's Section 504 Coordinator on the District's Section 504 policy and procedures and the requirements of Section 504 and Title II. The training will emphasize the

District's obligations under Section 504 to provide the special education or related aids and services that are required by a student's Section 504 Plan or Individualized Educational Program (IEP) and that any plan to provide compensatory services should comply with Section 504's requirements that districts provide a free appropriate public education (FAPE) to students with disabilities.

Reporting Requirements

- a. At least 30 days in advance of scheduled training identified in paragraph 2 above, or by July 15, 2018, whichever is first, the District will provide for OCR's review and approval the date of the scheduled training, a copy of the training materials prepared for this provision, including the name(s), title(s), and qualifications of the trainer(s), and any handouts or presentations developed for this training. If OCR fails to provide feedback or express approval prior to the notified scheduled training, the District is authorized to proceed with the training and will not be required to re-train if OCR later makes a determination that the materials or the training was in any way not compliant with this Agreement, provided the District fully complied with the reporting requirements of this paragraph.
- b. Within 10 days of the completion of the trainings outlined in paragraph 2 above, the District will provide OCR with documentation confirming completion of the training, including: (a) the date of each training session(s) and (b) a sign-in sheet including the list of names and titles of the District personnel who participated in each training session,

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 shall 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: \_\_\_\_\_04/19/2018\_\_\_\_\_

Brent Williams, Superintendent