

**RESOLUTION AGREEMENT**  
**Camden County Public Schools**  
***OCR Complaint No. 11-17-1185***

Camden County Public Schools (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve the allegations investigated in Office for Civil Rights (OCR) Complaint No. 11-17-1185. 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.

**Action Item A: Compensatory Education and Reevaluation**

1. By November 1, 2019, after providing proper written notice to the Student's parent/guardian, the District will offer to convene a group of persons knowledgeable about the Student, making all reasonable efforts to include the parent/guardian:
  - a. to determine whether the Student's 2016-2017 school year disciplinary incidents were related to his disability and, if so, to discuss whether the Student requires compensatory and/or remedial services as a result of the District not completing the evaluation of the Student's behavior related needs during the 2016-2017 school year. If the group determines that the Student needs such services, the group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond June 30, 2020.
  - b. to reevaluate the Student to determine whether the Student needs additional special education and/or related aids or services due to a disability regarding his behavior, including whether the District should complete a Functional Behavior Assessment for the Student.

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:**

1. 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.
2. If the parent/guardian decides not to participate in the proposed meeting and no meeting is held, the District, within one week of the parent/guardian's decision, will

submit to OCR a copy of proper written notice and offer to the Student's parent/guardian and documentation of the parent or guardian's decision not to participate.

3. Within 10 calendar days after the meeting, 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.
4. If appropriate, by July 5, 2020, the District 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).

### **Action Item B: Training**

1. By December 1, 2019, the District will provide training to the Director of Exceptional Programs, Camden Intermediate School staff, including teachers and administrators, and any other School personnel responsible for determining whether services are necessary for a student with a disability at the School. The training, at a minimum, will emphasize:
  - a. The District's obligations, under Section 504 and Title II, to identify and evaluate students believed to have disabilities and to provide a free appropriate public education (FAPE) to students with disabilities, specifically, by developing and implementing a Section 504 Plan, Individualized Education Program (IEP), and/or Functional Behavioral Assessment (FBA) as necessary, in accordance with the procedural requirements set forth in 34 C.F.R. §104.35(c).
  - b. The District's obligations, under Section 504 and Title II, to periodically reevaluate a student who has been provided regular or special education and/or related aids and services, including whether there is information suggesting that a student's educational program is not meeting the student's individual needs and whether further evaluation or revisions to the student's Section 504 Plan, IEP, FBA, or placement are necessary, in accordance with the procedural requirements set forth in 34 C.F.R. § 104.35(d).

### **Reporting Requirements:**

1. By November 1, 2019, the District may voluntarily submit to OCR an outline of the content of the training and the name and credentials of the individual who will present the training to School staff.

2. By December 15, 2019, the District will provide written documentation to OCR demonstrating that the training was provided consistent with Action Item B above, including the following:
  - a. The name(s) of the individual(s) who conducted the training;
  - b. A list of the individuals who attended the training and their positions;
  - c. The date(s) the training was conducted; and
  - d. Copies of any agendas or 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 and obligations 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 proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Dr. Joe Ferrell, Superintendent  
Camden County Schools