RESOLUTION AGREEMENT
Cumberland County Public Schools
OCR Complaint No. 11-17-1268

Without admitting to any violation of law, the Cumberland County Public Schools (the District) agrees to implement this Resolution Agreement (the Agreement) in the above-referenced complaint investigated by the U.S. Department of Education, Office for Civil Rights (OCR) under Section 504 of the Rehabilitation Act of 1973 (Section 504) and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II) and its implementing regulation at 28 C.F.R. Part 35. The Agreement includes terms that the District has voluntarily entered into and agreed to in order to resolve allegations that were not fully investigated prior to the conclusion of the investigation in accordance with Section 302 of OCR’s Case Processing Manual (CPM).

Action Item A: The Complainant

By September 7, 2017, the District will send a letter (via post and email) to the Complainant confirming that she will have permission to access the front entrance of the XXXX (the School) building to drop-off and pick-up her children for the XXXX school year.

Reporting Requirement: By September 15, 2017, the District will provide OCR with a copy of the letter sent to the Complainant as referenced in Action Item A.

Action Item B: Policies and Procedures

By October 1, 2017, the District will review and revise as necessary all relevant policies, procedures, and practices pertaining to the access of individuals with disabilities to the School’s premises, including during periods when students are being transported or dropped-off and picked-up from the School.

Reporting Requirements:

1. By October 15, 2017, the District will provide OCR with a copy of the District’s policies and procedures as referenced in Action Item B for OCR’s review and approval. If OCR requires any changes to the policies, procedures, and practices, the District will make the changes and re-submit the policies, procedures, and practices within 20 days of receiving OCR’s notice of the required revisions.

2. Within 30 days of receiving notice of OCR’s approval of the revised policies, procedures, and practices referenced in Action Item B(1), the District will:

   a. Provide District personnel with written notification of the revised policies, procedures, and practices; and,
   b. Publish the revised policies, procedures, and practices on its website and in any other District publications.

3. Within 60 days of receiving notice of OCR’s approval of the revised policies, procedures, and practices, the District will provide OCR with documentation demonstrating that they
have been provided to District personnel and published in accordance with Action Item B(2).

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that during the monitoring of this Agreement, 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 regulation implementing Section 504 and Title II, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which was at issue in this complaint. Upon completion of the obligations under this Agreement, OCR shall close this complaint.

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 Recipient Type written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

___8/30/2017_____
Date

_________________________/S/__________________
Dr. Frank Till Jr.
Superintendent
Cumberland County Public Schools