

**RESOLUTION AGREEMENT**  
**Spartanburg County School District 4**  
***OCR Complaint No. 11-17-1403***

Spartanburg County School District 4 (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-17-1403. 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.

1. By August 16, 2017, the District will provide a copy of the Student's current Section 504 plan to the Student's bus driver for the 2017-2018 school year.

Reporting Requirement:

- a. By September 1, 2017, the District will provide OCR with documentation that the Student's Section 504 plan was distributed to and reviewed by the Student's bus driver.
2. By September 15, 2017, the District will provide training to all XXXX and Transportation department staff on: the applicability of Section 504 and the IDEA to transportation for students with disabilities; disability harassment, including both peer-to-peer and employee-on-student harassment; and grievance procedures applicable to complaints of disability discrimination and harassment.

Reporting Requirement:

- a. By August 20, 2017, the District will submit a draft plan for implementation of the training developed in accordance with Section 2 for OCR's review and approval, including the training date(s); the name and expertise of each presenter; and a copy of the training materials, such as a PowerPoint presentation or handout.
  - b. By September 30, 2017, the District will provide a detailed description of or documentation related to the trainings provided pursuant to Section 2, including the date(s) of each training and the name, position, and school/work site of each employee who attended the training.
3. By September 16, 2017, after providing proper written notice to the Student's parent, the District will convene a group of persons knowledgeable about the Student, making all reasonable efforts to include the parent/guardian, with the dual purposes of determining whether the Student's Section 504 plan needs to be revised to address transportation; and developing a plan for providing compensatory and/or remedial services to the Student for any time period during the XXXX school year that the Student did not receive appropriate regular and/or special education or related services. The group will develop a plan for providing any necessary compensatory and/or remedial services with a completion date not to extend beyond December 31, 2017. The District will provide the Student's parent with notice of the procedural safeguards, including the right to challenge the group's determination through an impartial due process hearing.

If the Student’s Section 504 plan is updated, the updated plan will be provided to all School staff who interact with the Student, including the Student’s bus driver.

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. Within 10 calendar days after receiving OCR’s approval, the District will provide OCR with documentation that the Student’s Section 504 plan, if updated, was distributed to and reviewed by all School staff who work with the Student, including the Student’s bus driver.
- d. By January 15, 2018, 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).

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 regulations implementing Section 504 and Title II, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, respectively, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall 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: 7/25/2017  
Superintendent Liston or Designee