

**RESOLUTION AGREEMENT**  
**Chesterfield County Public Schools**  
***OCR Complaint No. 11-18-1104***

Chesterfield County Public Schools (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-18-1104. This Agreement does not constitute an admission by the District of a violation of Section 504 of the Rehabilitation Act of 1973, the Title II of the Americans with Disabilities Act of 1990, or any other law enforced by OCR.

1. By June 1, 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 requires compensatory and/or remedial services XXX. If applicable, the group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond October 19, 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 November 2, 2018, if applicable, 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).
2. By June 1, 2018, the District will prepare a memorandum describing a plan (the Plan) to ensure that any functionality issues affecting the Lift in the future do not result in an interruption of the Student's or other similarly situated student's access to his/their classroom or educational activities and curriculum. The Plan will include a procedure for communicating functionality issues immediately to the appropriate facilities staff,

administrators and special education staff, the Student’s instructional staff, and the Complainant/parents so that there is no delay in the Plan’s implementation.

Reporting Requirement:

- a. By June 8, 2018, the District will provide to OCR for review and approval the draft memorandum to ensure that it satisfies the requirements in Paragraph 2.
- b. Within 5 calendar days of receiving OCR’s approval of the memorandum, including any changes requested by OCR and incorporated by the District, the District will provide written confirmation that a copy of the memorandum has been placed in the Student’s education record and distributed to the parties described in Paragraph 2.

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 will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
District Representative – Name and Title