

**RESOLUTION AGREEMENT**  
**Yadkin County Schools**  
***OCR Complaint No. 11-18-1185***

Yadkin County Schools (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-18-1185. 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.

1. Within 15 days after this agreement is signed, and 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 developing a plan for providing compensatory and/or remedial services to the Student for the time period the Student may not have received appropriate regular and/or special education or related services, from XXX. The group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond August 30, 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 September 30, 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).
2. By **August 31, 2018**, the District will provide training to relevant School staff, including all teachers, administrators, and personnel responsible for identifying students who are eligible for special education and related services under Section 504 and for developing students' individualized plans. At a minimum, the training will address:

- (i) the definition of disability under Section 504;
- (ii) the procedural requirements of Section 504 regarding identification, evaluation, and placement, and the School/District's process for meeting these requirements;
- (iii) the procedural requirements for referring for evaluation under Section 504 students who need or are believed to need special instruction or related services due to a disability under Section 504 after a student has been found ineligible under the Individuals with Disabilities Education Act.
- (iv) a discussion of hypothetical scenarios that may trigger the School's obligation to evaluate a student under Section 504.

Reporting Requirement:

- a. By **July 16, 2018**, the District will submit for OCR's review and approval the proposed training materials to fulfill the District's commitment in paragraph 2 above. The District will also identify the presenter and provide the presenter's qualifications. The District will contact OCR if the District would like to request an OCR presenter.
- b. Within 15 calendar days of the completion of the training program, the District will submit to OCR the date of the training, copies materials used or disseminated during the training, and the sign-in sheet indicating the names and titles of participants.

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: \_\_\_\_\_  
Dr. Todd Martin, Superintendent