

RESOLUTION AGREEMENT
Norfolk Public Schools
OCR Complaint No. 11-18-1194

Norfolk Public Schools (the Division) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-18-1194. This Agreement does not constitute an admission by the Division 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 Division 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 did not receive appropriate regular and/or special education or related services, from XXXX to XXXX. The group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond June 30, 2018. The Division 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 Division 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 Division 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 Division 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 Division will provide a copy of this written notice to OCR.
 - c. By August 1, 2018, the Division 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 Division 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/Division's process for meeting these requirements;
- (iii) a discussion of hypothetical scenarios that may trigger the School's obligation to evaluate a student under Section 504.

Reporting Requirement:

- a. By July 31, 2018, the Division will submit for OCR's review and approval the proposed training materials to fulfill the Division's commitment in paragraph 2 above. The Division will also identify the presenter and provide the presenter's qualifications.
- b. Within 15 calendar days of the completion of the training program, the Division 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 Division 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 Division understands that during the monitoring of this Agreement, if necessary, OCR may visit the Division, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Division has fulfilled the terms of this Agreement. Upon the Division's satisfaction of the commitments made under this Agreement, OCR will close this case.

The Division 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 Division written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

By: _____/s/_____ Date: 05/04/2018
Dr. Melinda J. Boone, Superintendent (or designee)