

RESOLUTION AGREEMENT
Virginia Beach City Public Schools
OCR Complaint No. 11-18-1408

Virginia Beach City Public School (the Division) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-18-1408. 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.

Prior to the completion of OCR's investigation, the Division agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issues of this investigation, the Division agrees to take the following actions.

TRAINING

By February 15, 2019, the Division will provide training to Larkspur Middle School staff, including administrators, teachers, guidance counselors, etc., on disability harassment, including both peer-to-peer and employee-on-student harassment and grievance procedures applicable to complaints of disability discrimination and harassment. The training will focus on the requirements of Title II and Section 504 related to addressing allegations of disability discrimination. The training will include how School administrators must respond promptly and equitably to reports of harassment against students on the basis of disability, including the provision of interim protective measures and protections from retaliation. During the 2018-2019 school year, the Division will ensure that all new relevant School staff, including administrators, teachers, guidance counselors, etc., receive such training within thirty (30) school days of the commencement of their employment.

Reporting Requirement:

By December 1, 2018, the Division will submit to OCR for review and approval the proposed training program, including the name and qualifications of the trainer and the training materials, prior to conducting the training.

By February 1, 2019, the School will provide OCR with a report confirming completion of the required training, including: (a) the date of the training session(s); (b) copies of the sign-in sheet(s) with the names and titles of the School personnel who participated in the training session(s); (c) the name, title and qualifications of the staff who provided the training to the School staff; and (d) copies of the agenda and a description of the content of the training, including any training materials disseminated at the training session(s).

On June 30, 2019, the Division will provide OCR with evidence that relevant School staff who were newly employed during the 2018-2019 school year received training within 30 school days of the commencement of their employment.

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: _____ Date: _____
Superintendent or Designee