

RESOLUTION AGREEMENT
Chesapeake City Public Schools
OCR Complaint No. 11-18-1445

Chesapeake City Public Schools (the Division) agrees to fully implement this Resolution Agreement (Agreement) to resolve the allegation investigated in Office for Civil Rights (OCR) Complaint No. 11-18-1445. This Agreement does not constitute an admission by the Division of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.

1. By _____, after providing proper written notice to the Student's parent/guardian, the Division will convene a group of persons knowledgeable about the Student, to determine whether the Student was denied a free appropriate public education (FAPE) when it determined that the Student should transfer to XXXX. If it is determined that the move resulted in a loss of FAPE (either because XXXX was not the appropriate setting or because the move required new or modified related aids and services), the team must determine whether to modify the Student's Section 504 Plan and/or whether compensatory and/or remedial services are appropriate to mitigate the loss of FAPE. At this meeting, the team will also review the Student's Section 504 Plan to determine whether any revisions are needed to address any concerns that may have arisen since the move to XXXX. Finally, 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 Requirement:

- 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 schedule for providing compensatory and/or remedial services (if any) to the Student, the notice of procedural safeguards, 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 implementation Section 504, at 34 C.F.R. §§ 104.34, 104.35, and 104.36, in making these determinations.
- b. If applicable, by _____, 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 providers.

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 and obligations of this Agreement. Upon the Division's satisfaction of the commitments made under this Agreement, OCR will close this case.

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness
by fostering educational excellence and ensuring equal access.*

The Division understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the Division written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

By: _____ Date: _____
Name and Title