

RESOLUTION AGREEMENT
Williamsburg James City County Schools
OCR Complaint No. 11-18-1449

Williamsburg-James City (the Division) agrees to fully implement this Resolution Agreement (Agreement) to resolve Allegation 1(c) investigated in Office for Civil Rights (OCR) Complaint No. 11-19-149. 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. By March 31, 2020, after providing proper written notice to the Student's parent/guardian at least seven days in advance of the meeting, the Division will convene a group of persons knowledgeable about the Student to discuss whether the Student is eligible for compensatory and/or remedial services to the Student for the time period the Student did not receive regular and/or special education or related services from November 2017 to May 2018. If the group determines that the Student requires such services in order to receive a free appropriate public education, the group will develop a plan for making available timely compensatory and/or remedial services with a completion date not to extend beyond June 12, 2020. The Division will provide the Student's parent/guardian with written notice of the outcome of the meeting, including an explanation for decisions made, a description of and schedule for making available compensatory and/or remedial services (if any) to the Student, and notice of the procedural safeguards, including the right to challenge the group's determination through mediation or an impartial due process hearing.

Reporting Requirements:

- a. Within one week of the meeting, the Division will submit to OCR a copy of the documentation from the meeting, including an explanation for decisions made, a description of and schedule for making available compensatory and/or remedial services (if any) to the Student, and a list of meeting attendees. The Division will also submit to OCR a copy of the written invitation to the Student's parent/guardian and a copy of the notice of the outcome of the meeting that was provided to the Student's parent/guardian. 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. If the group determines that the Student requires compensatory education to receive a free appropriate public education, by June 30, 2020, the Division will provide documentation to OCR of the dates, times, and locations that compensatory and/or remedial services were made available, a description of what was made available, and the name(s) of the service provider(s).
2. The Division will train the School principal, assistant principals, and all teachers and instructional staff at the School on the requirement that staff reevaluate students who

have been provided Section 504 plans when there is information suggesting that a student’s educational program is not meeting the student’s individual needs.

Reporting Requirement:

- a. By August 30, 2020, the Division will provide proof to OCR that the School principal, assistant principal, and all teachers and instructional staff at the School on the information described in provision 2 of this agreement.
- b. The Division will provide a sign-in sheet with the names and signatures of staff who participated in the training, and training materials that indicate that staff were trained on the topics described in Provision 2 of this agreement.

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 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