

RESOLUTION AGREEMENT
The Henderson Collegiate Charter School
OCR Complaint No. 11-19-1017

The Henderson Collegiate Charter School (the School) agrees to fully implement this Resolution Agreement (the Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-19-1017. This Agreement does not constitute an admission by the School 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.

Action Item A: The Student

1. By May 30, 2019, the School will conduct a meeting with the Student, not to otherwise conflict with the Student's regular or special education and/or special education and related aids and services, and making all reasonable efforts to include the Student's parents/guardians, to review the Student's transcript and discuss course options for the upcoming 2019-2020 school year, including elective courses.¹
2. Prior to the School's "Back-to-School Night" for the 2019-2020 school year, the School will ensure that the Student and the Student's parents/guardians are provided with information relevant to the Student's teachers and schedules.
3. Prior to the School's "College Night" for the 2019-2020 school year, the School will ensure that the Student and the Student's parents/guardians are provided with information relevant to the Student's college preparation, including, but not limited to, the Student's applicable test scores (e.g., ACT/SAT) and information about any applicable colleges and/or universities that the Student may qualify to attend.²

Reporting Requirements:

- a. By June 15, 2019, the School will submit documentation that the meeting discussing the Student's transcript and course options for the 2019-2020 school year was conducted, as required by Action Item A(1).
- b. By September 15, 2019, the School will submit a copy of all documentation provided to the Student and the Student's parents/guardians at the "Back-to-School Night" for the 2019-2020 school year, as required by Action Item A(2).
- c. By October 15, 2019, the School will submit a copy of all documentation provided to the Student and the parent/guardians at the School's "College Night" for the 2019-2020 school year, as required by Action Item A(3).

¹ To the extent that the Student's Individualized Education Program (IEP), Section 504 (Plan), or other individualized education plan applicable for the 2019-2020 addresses the Student's transition to postsecondary education, the School should also involve the Student's IEP/Section 504 or other applicable team with respect to this Action Item.

² See Footnote 1.

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

Action Item B: Disability Training

By September 30, 2019, the School will provide training to School administrators and personnel, on the prohibitions against disability-related discrimination under Section 504 and Title II.³ Participants will include, at a minimum, each school's Principal or Assistant Principal, Exceptional Children's Director, and one regular education teacher from each grade level. The training will include a discussion of: (a) examples of what constitutes discrimination, including disability-related different treatment and exclusion with respect to courses, course electives, and student/parent programs and activities, and (b) the prohibition on retaliation. Participants will be provided information from the training to be disseminated through the School's staff and team level meeting processes.

Reporting Requirement:

By October 15, 2019, the School will provide written documentation to OCR demonstrating that the training was provided consistent with Action Item B above, including the following:

- a. The name(s) of the individual(s) who conducted the training;
- b. A list of the individuals who attended the training and their positions;
- c. The date(s) the training was conducted; and
- d. Copies of any training materials disseminated.

The School 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 School understands that during the monitoring of this Agreement, if necessary, OCR may visit the School, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the School has fulfilled the terms of this Agreement. Upon the School's satisfaction of the commitments made under this Agreement, OCR will close this case.

³ Specifically, the Section 504 regulation, at 34 C.F.R. § 104.61, incorporating the procedural provisions of the regulation implementing Title VI of the Civil Rights Act of 1964, prohibits retaliation against any individual who asserts rights or privileges under Section 504 or who files a complaint, testifies, assists, or participates in a proceeding under Section 504. The Title II regulation, at 28 C.F.R. § 35.134, contains a similar prohibition against retaliation.

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

By: _____ Date: _____

Stephanie Rogers
President (or Designee)
Henderson Collegiate Charter School