

RESOLUTION AGREEMENT
Charleston County School District
OCR Complaint No. 11-19-1077

Charleston County School District (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve the allegations investigated in Office for Civil Rights (OCR) Complaint No. 11-19-1077. This Agreement does not constitute an admission by the District of a violation of Title VI of the Civil Rights Act of 1964 (Title VI), 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 three weeks of the independent educational evaluation (IEE) being completed, the District will convene a meeting to discuss the IEE and to develop an Individual Educational Plan (IEP) consistent with the regulatory requirements of 34 C.F.R. §104.35-36. XXXXX the District may facilitate an IEE or reevaluation to be conducted by a XXXXX speaking interpreter as determined necessary to evaluate the Student's performance.

Reporting Requirements:

- a. By XXXXX, the District will provide documentation to OCR confirming that the IEE or reevaluation has been completed. If it is not possible to complete the IEE or reevaluation by August 31, 2019, the District will provide documentation to OCR explaining the steps taken to date, the reasoning as to why the IEE or reevaluation has not been completed, and the expected completion date.
 - b. Within one week of the IEP meeting referenced in Provision 1 above, the District will submit to OCR a copy of the meeting minutes or similar documentation from the meeting, including an explanation for decisions made, the notice of procedural safeguards, and a list of meeting attendees. OCR will review the documentation submitted to ensure that the School met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35, and 104.36, in making these determinations.
 - c. Within 10 calendar days after receiving OCR's approval, the District will provide the Student's parent with written notice of the outcome of the meeting, including an explanation for decisions made. The School will provide a copy of this written notice to OCR.
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2. By XXXXX, after providing proper written notice to the Student's parent, the District will convene a group of persons knowledgeable about the Student, making all reasonable efforts to include the parent, to discuss the provision of 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, including, but not limited to, speech services from XXXXX to the date of this compensatory education meeting. The group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond XXXXX. The District will provide the Student's

parent 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 compensatory education meeting referenced in Provision 2 above, the District 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, and a list of meeting attendees. OCR will review the documentation submitted to ensure that the District 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 District will provide the Student’s parent 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 District will provide a copy of this written notice to OCR.
- c. By XXXXX, the District 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).

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

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

By: _____ Date: _____
(Name and Title)