

**RESOLUTION AGREEMENT**  
**Rowan-Salisbury School System**  
***OCR Complaint No. 11-19-1145***

Rowan-Salisbury School System (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve the allegation(s) investigated in Office for Civil Rights (OCR) Complaint No. 11-19-1145. This Agreement does not constitute an admission by the District 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 September 13, 2019, after providing proper written notice to the Student's parent/guardian, the District will convene a group of persons knowledgeable about the Student, making all reasonable efforts to include the parent/guardian, 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, from XXXX to the date that the Student transferred out of XXXX (the School), which occurred on or about XXXX. The group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond December 20, 2019. The District 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 providing 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 an impartial due process hearing.

Reporting Requirements:

- a. Within one week of the meeting, 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, and a list of meeting attendees. The District 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 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. By January 17, 2020, 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).
2. Within 14 days of the signing this Agreement, the District will extend a written offer of admission to the Complainant to reenroll the Student in the School for the 2019-2020 academic year. The District will notify the Complainant in writing that she has 21 days to accept the offer.

Reporting Requirements:

- a. Within three days of sending the written offer described above, the District will provide a copy of the offer to OCR.
  - b. If the Complainant does not respond to the written offer described above, the District will notify OCR within three days of the expiration of the 21-day period.
  - c. Within 10 days of receiving a response from Complainant (either orally or in writing), the Division will provide: (1) evidence of the Complainant's decision and, if she chooses to reenroll the Student in the School, (2) evidence of reenrollment. If the Complainant's response is oral, the District will provide a memorandum outlining its decision, when this was communicated, and to whom it was communicated.
3. If the Complainant accepts the District's offer to reenroll the Student in the School, the District will, by August 16, 2019, convene a group of persons knowledgeable about the Student, making all reasonable efforts to include the parent/guardian, to discuss whether the Student's Section 504 plan requires any modifications due to the Student's placement in the School. The District 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 providing 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 an impartial due process hearing.

Reporting Requirement:

- a. Within one week of the meeting, 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, and a list of meeting attendees. The District 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 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.
4. If the Complainant accepts the District's offer to reenroll the Student in the School, the District will, by August 16, 2019, meet to consider: (i) where the Student would have been academically had she completed the 2018-2019 school year in the School's XXXX program; and (ii) what compensatory and/or remedial education or other services (e.g., tutoring) the Student requires in order to be made whole due to her transfer. The District will develop a plan for providing timely compensatory and/or remedial services, if any are deemed necessary, with a completion date not to extend beyond June 1, 2020.

Reporting Requirements:

- a. By August 23, 2019, the District will provide OCR with a copy of the meeting minutes or similar documentation from the meeting, including an explanation for the decisions made, and a description of and schedule for providing compensatory and/or remedial services (if any) to the Student.
- b. By June 8, 2020 (if applicable), the District will provide documentation to OCR demonstrating that the compensatory and/or remedial services offered (if any) were provided to the Student.

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