

RESOLUTION AGREEMENT
Charlotte-Mecklenburg Public Schools
OCR Complaint No. 11-19-1209

Charlotte-Mecklenburg Public Schools (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve the allegation investigated in Office for Civil Rights (OCR) Complaint No. 11-19-1209. This Agreement does not constitute an admission by the District 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.

Transportation Plan

1. The District will develop a Transportation Plan to ensure that the Student does not arrive later or depart the school grounds earlier than general education students, unless a shortened school day is determined, based on an individualized assessment, necessary to meet the individualized needs of the Student, consistent with Section 504 and Title II.

Reporting Requirement:

- a. By August 30, 2019, the District will provide OCR with its Transportation Plan. The Transportation Plan will include the Student's bus route, along with the projected morning pick-up and afternoon drop off times.
- b. By September 13, 2019, the District will provide OCR with a report demonstrating its implementation of the Transportation Plan. The report will include, at minimum:
 - i. To confirm bus stop pick-up, school arrival, and afterschool drop off times, provide documentation from the bus' GPS system which tracks the bus.
 - ii. Provide a rationale or explanation for any instances in which the Student's bus either 1) does not arrive at the bus stop in the morning; and/or 2) does not arrive at school prior to the start of instructional time.
 - iii. Account for any instance(s) in which the bus departs prior to the afternoon school dismissal (except weather-related early dismissals); include the reason for its early departure.
 - iv. By August 30, 2019, the District will provide OCR with a copy of the notice sent to District employees who are involved in the Student's transportation and education, including contract staff, regarding the Student's Transportation Plan. The notice at a minimum will state that Student, will not arrive or depart the school grounds later or earlier than general education students, unless a shortened school day is determined, based on an individualized assessment, necessary to meet the individualized needs of the Student, consistent with Section 504 and Title II. If the Student receives specialized transportation services pursuant to his IEP, the notice will state so and will provide essential details of the Student's specialized transportation services.

- c. By January 31, 2020, the District will provide OCR with a report demonstrating its continued implementation of the Transportation Plan as described above.

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: _____
District Superintendent or Designee