

**RESOLUTION AGREEMENT**  
**Portsmouth City Public Schools**  
***OCR Complaint No. 11-19-1258***

Portsmouth City Public Schools (the Division) agrees to fully implement this Resolution Agreement (Agreement) to resolve the allegations investigated in Office for Civil Rights (OCR) Complaint No. 11-19-1258. 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.

**Action Item A: The Student**

By September 15, 2019, the Division will remove from the Student's records a XXXXX XXXXX (XXXXX) conducted for the Student, on XXXXX XX, XXXX.

**Reporting Requirement:**

By September 30, 2019, the Division will provide OCR documentation demonstrating that the Student's records have been amended, as stated above, and that the Complainant has been so notified.

**Action Item B: Section 504 and Title II Training**

By October 15, 2019, the Division will develop and provide training to Churchland Middle School (the School) staff, including teachers, administrators, and any other School/Division personnel responsible, on the requirements of Section 504 and Title II with respect to the provision of a free appropriate public education (FAPE) to students with disabilities, including the Division's policies and procedures regarding the same. The training will, at a minimum, emphasize the Division's obligations regarding the identification, evaluation, placement, periodic reevaluations, reevaluation of students with disabilities prior to a significant change in placement; appropriately conducting manifestation determination reviews, including the types of information that should be considered and documented; and the provision of procedural safeguards, including responding to and documenting requests for impartial hearings.

**Reporting Requirements:**

- a. By September 15, 2019, the Division may voluntarily submit to OCR an outline of the content of the training and the name and credentials of the individual who will present the training to School staff.
- b. Within 5 calendar days of the training, the Division will provide documentation that such training was provided consistent with the requirements above, including: (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 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: \_\_\_\_\_/s/\_\_\_\_\_ Date: September 4, 2019  
Dr. Elie Bracy III  
Superintendent (or Designee)  
Portsmouth Public Schools