

**RESOLUTION AGREEMENT**  
**Charlotte-Mecklenburg Schools**  
**OCR Complaint No. 11-19-1438**

Charlotte-Mecklenburg Schools (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve the allegation investigated in Office for Civil Rights (OCR) Complaint No. 11-19-1438. 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 February 15, 2020, the District will provide training to all staff at XXXX Middle School (the School) on the District's obligation under Section 504 to provide a free appropriate public education (FAPE) to students with disabilities, and specifically, those students who transfer from other states into the District with an existing Section 504 Plan. The training will emphasize that, when a student with a disability transfers to the School, the School has a responsibility to ensure it meets the student's disability-based needs. In determining how to meet those needs, the School must meet the procedural requirements of the Section 504 regulation, including drawing upon information from a variety of sources, including past evaluations and past Section 504 plans. The training will note that the School should review the previous Section 504 plan and determine whether the previous Section 504 plan will be adopted, whether the previous Section 504 plan should be revised, and/or whether an evaluation is needed to determine whether additional related aids and services and/or special education are needed.

**Reporting Requirement:** By February 28, 2020, the District will provide OCR documentation demonstrating the provision of the training above, including: (1) the names and titles of the individuals who attended the training session(s); (2), the date the training session occurred; (3) a copy of all training materials, including agendas and handouts; and (4) the name(s) of the individual(s) who conducted the training sessions.

2. By March 1, 2020, 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 carefully consider and discuss whether the Student needs compensatory education and/or additional related aids/services (for example, counseling, academic tutoring, etc.) to address OCR concern that the District may have failed to provide the Student's a FAPE during the 2018-2019 school year.

**Reporting Requirements:** Within one week of the meeting, the District will submit to OCR a copy of the meeting minutes or similar documentation from the meeting, 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 its determinations.

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: \_\_\_\_\_  
Earnest Winston, Superintendent