

RESOLUTION AGREEMENT
Ingenuity Prep Public Charter School
OCR Complaint No. 11-20-1307

Ingenuity Prep Public Charter School (the School) agrees to fully implement this Resolution Agreement (Agreement) to resolve the allegation(s) investigated in Office for Civil Rights (OCR) Complaint No. 11-20-1307. This Agreement does not constitute an admission by the School 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.

The School shall implement the following actions for each student with a disability who did not receive specialized instruction services required by the student's IEP as a result of the specific staffing issues identified in the three allegations investigated by OCR. If the School has already implemented the following actions for any of the impacted students prior to the date of this Agreement, the School shall provide the appropriate documentation to OCR by the dates identified in the Reporting Requirements below.

1. By the start of the 2021-2022 school year, after providing proper written notice to the student's parent/guardian, the School 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 special education services.¹
2. If the group determines that the student needs such services, the group will develop a plan for providing timely compensatory and/or remedial services, with a completion date not to extend beyond December 31, 2021.
3. The School 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. By September 30, 2021, the School will submit to OCR copies of the following for each student:
 - i. 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;
 - ii. the written invitation to the student's parent/guardian; and
 - iii. the notice of the outcome of the meeting that was provided to the student's parent/guardian.
- b. OCR will review the documentation submitted for each student to ensure that the School 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.

¹ OCR understands that meetings may need to be conducted via video or teleconference for safety reasons due to COVID-19. OCR also understands that COVID-19 may require adjustments in the typical manner of providing compensatory and/or remedial services for safety reasons.

- c. By January 31, 2022, the School will provide documentation to OCR of the dates, times, and locations that compensatory and/or remedial services were provided to each student, a description of what was provided, and the name(s) of the service provider(s). If a student's parent/guardian does not take advantage of offered services, the School will provide documentation of its attempts to contact the parent/guardian to ascertain why the parent/guardian declined the services and to offer assistance in accessing the services, as appropriate.

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

The School understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statutes and regulations. Before initiating such proceedings, OCR will give the School written notice of the alleged breach and 60 calendar days to cure the alleged breach.

By: _____ Date: 3/9/21
Will Stoetzer, Chief Executive Officer (or designee)