



**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS**

400 MARYLAND AVENUE, SW
WASHINGTON, DC 20202-1475

REGION XI
NORTH CAROLINA
SOUTH CAROLINA
VIRGINIA
WASHINGTON, DC

RESOLUTION AGREEMENT
District of Columbia Public Schools
OCR Case No. 11-22-1561

The District of Columbia Public Schools (the District) agrees to fully implement this Resolution Agreement to resolve the allegations investigated in Office for Civil Rights (OCR) Case No. 11-23-1561. 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.

Action Item 1 – Compensatory Services

By July 1, 2023, 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 the related services required by his Individualized Education Program (IEP) during the first 30 days of the 2022-2023 school year, from approximately August 29, 2022 to October 10, 2022. The group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond June 16, 2023. 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 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 August 1, 2023, 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).

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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Action Item 2 – Transportation Reimbursement

By September 1, 2023, the District will reimburse the Complainant \$XXXXXX to cover the out-of-pocket costs the Complainant incurred during the first month of the 2022-2203 school year due to the District's failure to provide the transportation services required by the Student's IEP (calculated based on GSA mileage rate during relevant time period for x round trip distance from home to school).

Reporting Requirements:

- a. By September 15, 2023, the District will provide OCR documentation of reimbursement to the Complainant consistent with Action Item 2 above.

By signing this Agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. 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 of this Agreement.

The District understands that OCR will not close the monitoring of this Agreement until such time as OCR determines that the District is in compliance with the terms of the Agreement and with Section 504 and its implementing regulation at 34 C.F.R. Part 104 and Title II and its implementing regulation at 28 C.F.R. Part 35.

The District understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice for judicial proceedings to enforce the specific terms of this Agreement and the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.

By: Lewis D. Ferebee, Chancellor

Date: May 11, 2023