

**Resolution Agreement**  
**Wake County School System (North Carolina)**  
**OCR Docket No. 11-23-1231**

To resolve the above-referenced complaint brought under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II), the Office for Civil Rights (OCR) of the United States Department of Education (the Department) and Wake County School System (“the District”) enter into the following Agreement. The parties to this Agreement acknowledge that it is entered into voluntarily, and that it does not constitute an admission of liability, non-compliance, or wrongdoing by the District.

1. Monitoring of IEP Implementation: Until the Complainant’s graduation, the Recipient will ensure that all materials and software needed for all courses in which the Complainant is enrolled will be timely delivered and free of barriers to access, or the content and assessments will be otherwise delivered to the Complainant through equally effective alternative means of access. The District will provide a report to OCR describing these efforts five (5) business days prior to the beginning of every new semester, for as long as the Complainant remains enrolled in the District. If the District needs to undertake specific efforts to ensure equally effective alternative means of access (e.g., having a Braillist transcribe content from otherwise inaccessible simulator software) the report will describe such efforts. If the District needs to purchase any course materials or software specifically for the Complainant’s use, the District will attach copies of purchase receipts to its report.

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

The District understands that OCR will not close the monitoring of the Agreement until such time as OCR determines that the District is in compliance with the terms of the Agreement and the statute(s) and regulation(s) at issue in the case.

The District understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings in the event of breach. Before initiating such proceedings, OCR will give the District notice of the alleged breach and 60 calendar days to cure the alleged breach.

This Agreement will become effective upon the signature of the representative for the District, set out below.

/s/Jill McKenna

Jill McKenna  
Assistant Superintendent, Special Education  
Services  
Wake County Public School System

7/11/2023

Date