

**RESOLUTION AGREEMENT**  
**Hoke County Public Schools**  
**OCR Case No. 11-23-1238**

Hoke County Public Schools (the District) agrees to fully implement this Resolution Agreement to resolve the allegations investigated in Office for Civil Rights (OCR) Case No. 11-23-1238. This Agreement does not constitute an admission by the District of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504) or Title II of the Americans with Disabilities Act of 1990 (Title II) or any other law enforced by OCR.

**Action Item 1 – Compensatory Services**

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 determine whether the Student requires any compensatory and/or remedial services for any time period the Student may not have received appropriate regular and/or special education or related services during the first semester of the 2022-2023 school year. If the group determines that the Student requires compensatory and/or remedial services, then the group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond June 1, 2024. 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 (if any) to the Student, and notice of procedural safeguards, including the right to challenge the group's determination through an impartial due process hearing.

**Reporting Requirements:**

- a. By October 1, 2023, 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 all of the procedural and other requirements of the regulation implementing Section 504, at 34 C.F.R. Part 104, in making these determinations.
- b. If the meeting described in this agreement results in proposed compensatory and/or remedial services, then by November 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). If the parent/guardian does not provide consent for the District to implement the proposed services, then the documentation submitted to OCR described in this paragraph will consist of an explanation of the proposed services and how those services would have been provided had consent been obtained.

## **Action Item 2 – Training**

The District will provide training to all [redacted content] School instructional staff and administrators regarding the District's obligations to provide a Free and Appropriate Public Education under Section 504, including its obligation to evaluate and periodically reevaluate students who need or are believed to need regular or special education and related aids and services without unreasonable delay.

### **Reporting Requirements:**

- a. By October 1, 2023, the District will submit to OCR, for OCR's review and approval, a copy of the proposed training materials and the name(s), position title(s), and qualifications of the individual(s) who will conduct the training.
- b. Within 60 calendar days of receiving OCR's approval, the District will conduct the training and provide verification to OCR, including: (a) the name of the individual(s) who conducted the training; (b) the date(s) of the training session(s); (c) all training materials; and (d) a sign-in sheet with the names, signatures, and position titles of the District personnel who participated in each training session.

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, 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:

\_\_\_\_\_  
Hoke County Public Schools

Date:

\_\_\_\_\_  
August 11, 2023