

RESOLUTION AGREEMENT
District of Columbia Public Schools
OCR Case No. 11-23-1447

District of Columbia Public Schools (the District) agrees to fully implement this Resolution Agreement to resolve the allegation investigated in Office for Civil Rights (OCR) Case No. 11-23-1447. 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: Individual Relief for the Student

Upon receipt of appropriate documentation, the District will reimburse the Complainant for [redacted content], which are expenses that she incurred above what she would have otherwise paid but for the Student's disenrollment from the School's aftercare program from October 2022 to April 2023.

Reporting Requirements: Within 45 business days of receipt of appropriate parentally submitted documentation, the District will provide evidence to OCR that it has initiated the reimbursement process to the Complainant for [redacted content].

Action Item 2: Notifications

- a. By March 15, 2024, the District will issue a letter notifying Champions that: i) Champions must fulfill its legal obligations to consider and make individualized determinations regarding requests for the provision of aids, benefits, and services to meet the needs of qualified District students with disabilities in Champions' programs; and ii) the District requires that, before February 15, 2024, Champions provide a copy of the letter to its central leadership staff and the leadership/supervisory staff at each of its before or after-school programs that are operating in a District school for the 2023-2024 school year, and provide written confirmation to the District that Champions sent the letter.
- b. By March 1, 2024, the District will provide a written reminder to all relevant District administrators, including principals and special education administrators at all schools where an outside aftercare provider operates a before or after-school program, about ensuring that the provider that operates at their school pursuant to a memorandum of agreement with the District consider, on an individualized basis, requests for the provision of aids, benefits and services to meet the needs of qualified District student with disabilities participating in any before or after-school programs that are operating in a District school.
- c. By March 15, 2024, the District will send a letter to all parents/guardians of students at District schools where Champions has a contract/memorandum of agreement to run its before or after-school programs for the school year 2023-2024. The letter will remind parents/guardians that Champions is obligated to consider and make individualized determinations regarding requests for the provision of aids, benefits, and services to meet the needs of qualified District students with disabilities participating in any before or after-school programs that are operating in a District school.

Reporting Requirements:

- a. Within 90 days of executing this Agreement, the District will provide OCR with drafts of the letters/written communications as outlined in Action Items 2a, 2b, and 2c for OCR's review and approval.
- b. By April 1, 2024, the District will provide documentation from Champions confirming that Champions central leadership staff and the leadership/supervisory staff at each of its afterschool programs operating in District schools for the 2023-2024 school year has received the District's letter described in Action Item 2a.
- c. By April 1, 2024, the District will provide documentation to OCR that it has disseminated the written reminder to District administrators (per Action Item 2b) and the letter to parents (per Action Item 2c).

Action Item 3: Training

By April 15, 2024, the District will ensure that for all Champions programs at District schools, all relevant Champions and District staff and administrators receive training regarding: (1) Champions' policies and procedures for parents/guardians to request the provision of aids, benefits and services to meet the needs of qualified students with disabilities in Champions' afterschool programs and for Champions to consider such requests on an individualized basis; and (2) the District's obligations under Section 504 and Title II to ensure that Champions considers and makes individualized determinations regarding requests for the provision of aids, benefits, and services to meet the needs of qualified students with disabilities in Champions' afterschool programs.

Reporting Requirements:

- a. Within 90 days of executing this Agreement, the District will provide for OCR's review and approval the names and credentials of the trainers, as well as copies of any training materials.
- b. By May 1, 2024, the District will provide to OCR documentation demonstrating that relevant Champions and District staff and administrators who received training in accordance with this Action Item. The documentation will include, at a minimum, the name(s) and credentials of the individual(s) providing the training; the names and positions/titles of the attendees; the date(s) and time(s) of the training(s); and a copy of all training materials disseminated.

Action Item 4: Data

- a. The District will provide to OCR a list of all requests that Champions and/or the District received for school year 2023-2024, for aids, benefits, and services to meet the needs of qualified students with disabilities in any Champions afterschool program located at any District school. The District also will provide to OCR: a description of the request and the response by Champions and/or the District, including the date of the request, whether the request was approved, modified, or denied, the date of that determination, and an

explanation for any request that was not approved; the name(s) and title(s) of all Champions/District staff who considered the request; a description of the process used for considering the request; any documentation considered or created as a result of the request; and the site location associated with the request that was made.

- b. The District will provide to OCR a list of any students with disabilities who were denied enrollment in a Champions afterschool program or disenrolled in school year 2023-2024, including a detailed description of the reason(s) why the student was denied enrollment or disenrolled, the date of the denial or disenrollment, the site location, the specific provision(s) of the program's code(s) of conduct that the student violated, if applicable, and the name(s) and title(s) of Champions and/or District staff involved in the decision.

Reporting Requirements:

- a. By July 1, 2024, the District will provide to OCR a list of all requests that Champions and/or the District received for school year 2023-2024, for aids, benefits, and services to meet the needs of qualified students with disabilities in the afterschool programs for all Champions site locations at District schools, as described in Action Item 4a, for OCR's review and approval.
- b. By July 1, 2024, the District will provide to OCR a list of students with disabilities who were denied enrollment in a Champions afterschool program or disenrolled in school year 2023-2024, as described in Action Item 4b, for OCR's review and approval.
- c. Within 60 days of receiving any feedback from OCR regarding 4a and 4b, the District will take any additional actions deemed necessary by OCR.

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, with Section 504 and its implementing regulation at 34 C.F.R. Part 104, and with 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: Dr. Lewis Ferebee
Chancellor, District of Columbia Public Schools

Date: November 17, 2023