

**Voluntary Resolution Agreement  
Prince William County Public Schools  
OCR Complaint No. 11-14-1198**

Prince William County Public Schools (the “Division”) agrees to implement this voluntary resolution agreement (“Agreement”) to resolve Office for Civil Rights (OCR) Complaint No. 11-14-1198.

***GENERAL PROVISIONS***

1. This Agreement does not constitute an admission by the Division of any 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.
2. OCR has made no determination that the Division has violated Section 504, Title II, or any other law enforced by OCR, and full implementation of this Agreement by the Division resolves the allegations in OCR Complaint No. 11-14-1198. Consistent with the last two paragraphs of this Agreement, after receipt of the documentation described in the Reporting Requirements of this Agreement and upon OCR’s determination that the Division is in compliance with the regulations implementing Section 504 and Title II, OCR will close the monitoring of the Agreement, and OCR’s closure will make no findings of a violation of Section 504, Title II, or any other law enforced by OCR.

***SUBSTANTIVE PROVISIONS and REPORTING REQUIREMENTS***

1. Within **7 business days** of executing this Agreement, after providing proper written notice to the Complainant, the Division will convene a group of persons knowledgeable about the Student, including the Complainant, with the purpose of discussing the provision of extended school year services for summer 2014. The Division will provide the Complainant notice of the procedural safeguards including the right to challenge the group’s determination through an impartial due process hearing.

**REPORTING REQUIREMENT:** Within one week of the meeting, the Division will submit to OCR a copy of meeting minutes or similar documentation from the meeting referenced in Action Item 1 above; including an explanation for decisions made, and a description of and schedule for providing extended school year services to the Student and the notice of due process. OCR will review the documentation submitted to ensure that the Division 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.

**REPORTING REQUIREMENT:** By **October 1, 2014**, the Division will provide documentation to OCR of the dates, times, and locations that any extended school year services were provided or attempted to be provided (in the event that the Complainant does not consent to such services).

2. By **August 31, 2014**, after providing proper written notice to the Complainant, the Division will convene a group of persons knowledgeable about the Student, including the Complainant, with the purpose of initiating a Functional Behavioral Assessment (“FBA”), updating the student’s Behavior Intervention Plan, and discussing and determining the Student’s educational placement for the 2014-2015 school year. During the meeting, the team will determine whether the Student is eligible for compensatory and/or remedial services (such as placing Student in a different school) as a result of being placed in reorientation area, quiet room, restraint and seclusion during the 2013-2014 school year. If applicable, the group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond June 2015. The plan will identify the nature and amount of the services to be provided at no cost to the Complainant, by whom, and when. The Division will provide the Complainant notice of the procedural safeguards including the right to challenge the group’s determination through an impartial due process hearing.

**REPORTING REQUIREMENT:** Within one week of the meeting, the Division will submit to OCR a copy of meeting minutes or similar documentation from the meeting referenced in Action Item 2 above; including an explanation for decisions made, and a description of and schedule for providing compensatory and/or remedial services (if any) to the Student and the notice of due process. OCR will review the documentation submitted to ensure that the Division 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.

**REPORTING REQUIREMENT:** Within 5 days of OCR’s approval, the Division will provide the Complainant with written notice of the outcome of the meeting(s) a description of any educational loss, and, if applicable, provide the Complainant with a written offer regarding the Division’s provision of the compensatory and/or remedial services to the Student (including a description of how the services will be provided and a proposed timetable).

**REPORTING REQUIREMENT:** If the Complainant accepts an offer by the Division to provide compensatory and/or remedial services, the Division will begin providing the services to the Student within fifteen calendar days from the date of its receipt of the Complainant’s acceptance of the Division’s offer, or at a later date, if agreed upon by the Complainant. The compensatory education program shall be delivered in a manner so as not to hinder the delivery of any services that are required by the Student’s current educational program.

**REPORTING REQUIREMENT:** By July 1, 2015, 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 Division understands that OCR will not close the monitoring of this agreement until OCR determines that the Division has fulfilled the terms of this agreement and is in compliance with the regulation implementing the provisions of Section 504 and Title II and their implementing regulations, which were at issue in this case. The Division 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 this agreement. Further, the Division understands that during the monitoring of this agreement, if necessary, OCR may visit the Division, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Division has fulfilled the terms of this agreement and is in compliance with the regulation implementing the provisions of Section 504 and Title II and their implementing regulations, which were at issue in this case.

The Division understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the Division written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

\_\_\_\_\_/S/\_\_\_\_\_  
Superintendent or designee  
Prince William County Public School System

\_\_\_\_\_/8/17/14\_\_\_\_\_  
Date