

Voluntary Resolution Agreement
Yadkin County Schools
OCR Complaint Nos. 11-15-1377 & 11-16-1025

Yadkin County Schools (the District) voluntarily enters into this Resolution Agreement with the U.S. Department of Education's Office for Civil Rights (OCR) to resolve Complaint Nos. 11-15-1377 and 11-16-1025.

1. By July 1, 2016, the District will revise School Board Policy 4400 *Attendance/Tardies* to exclude absences documented as excused for medical reasons, so that, where appropriate documentation is provided from a parent/guardian or physician, absences for medical reasons will not be counted toward the maximum number of absences permitted before credit is denied under the policy. Upon issuance of revised School Board Policy 4400, the District will provide notification to parents/guardians and students and will provide training to relevant school personnel.

Reporting Requirement:

By May 1, 2016, the District will submit for OCR's review and approval a draft of the revised School Board Policy 4400. Within 60 days of OCR's approval of the revised policy, the District will finalize the policy, provide notification to parents/guardians and students of the change, train all school administrators and other relevant personnel on the change and provide OCR with verification of its actions, including a copy of the notification to parents/guardians and students and a list of individuals who attended the training and their titles.

2. By June 3, 2016, the District will provide training to all staff at the high school level, including administrators, counselors, and teaching staff regarding why the District's former practice of permitting students with Section 504 plans to opt out of a testing accommodation provided in their plan and requiring them to sign a Classroom/Testing Modifications: Student Refusals form was not consistent with the procedural requirements of Section 504, at 34 C.F.R. Section 104.35(c). The District shall include in the training a discussion of alternative means to accomplish the goal of providing high school students with Section 504 plans with some degree of autonomy regarding testing accommodations, such as convening the student's Section 504 team to determine if the accommodations can/should be written to allow the student to opt out of the accommodation.

Reporting Requirement:

A minimum of 20 days prior to the training required by provision 2 above, the District will provide for OCR's review and approval a copy of the training materials prepared, including the name(s) and title(s) of the trainer(s) and any handouts or presentations developed.

Within 15 days of the completion of the approved training program, the District will submit to OCR the name(s) and title(s) of the trainer(s), the date of the training, the material used or disseminated, and the sign-in sheet indicating the names and titles of participants.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is compliance with the regulation implementing Section 504, at 34 C.F.R. Sections 104.35(c) and 104.4(b)(4) which were at

issue in this case. The District 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 District 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 District has fulfilled the terms of this Agreement and is compliance with the regulation implementing Section 504, at 34 C.F.R. Sections 104.35(c) and 104.4(b)(4), which were at issue in this case.

The District 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 District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

_____/S/_____
Superintendent or designee
Yadkin County Schools

_____/3/10/16_____
Date