

**RESOLUTION AGREEMENT**  
**Greenville County Public Schools**  
*OCR Case No. 11-16-1209*

Greenville County Public Schools (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-16-1209. 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.

**I. TRAINING**

1. By October 31, 2016, training will be provided to the Section 504 Coordinator at Slater Marietta Elementary School (the School) regarding the District's 504 policies and procedures and the obligation to timely evaluate any student who needs or is believed to need special education or related services due to a disability and timely provide services for those students who are found eligible. The training will include information on the District's medical homebound program and the process and procedures that the School and parents must follow to obtain homebound services for eligible children.

Reporting Requirement:

- a. By November 30, 2016, the District will provide a detailed description of or documentation related to the training in accordance with Section I(1), including the training date(s), the name and expertise of the trainer(s), a description of the training content, and signatures of the trainer(s) and the School's Section 504 Coordinator verifying that the training occurred.
2. By November 30, 2016, training will be provided to all staff members and administrators at the School who may participate in the Section 504 or IDEA eligibility process for students regarding the District's 504 policies and procedures and the obligation to timely evaluate any student who needs or is believed to need special education or related services due to a disability and timely provide services for those students who are found eligible. School administrators will, throughout the school year, integrate this information into existing trainings, meetings, and other appropriate opportunities to reinforce the protections of federal law to ensure that the School provides a free appropriate public education (FAPE) to students with disabilities.

Reporting Requirements:

- a. By November 1, 2016, the District will submit a draft plan for implementation of the training developed in accordance with Section I(2) for OCR's review and approval, including the training date(s), the name and expertise of each presenter, and a description of the training content.
- b. By December 15, 2016, the District will provide a detailed description of or documentation related to all trainings provided to School employees pursuant to this

Agreement, including the date(s) of each training and the name, position, and school/work site of each employee who attended the training.

## **II. INDIVIDUAL MEASURES**

1. If the Student enrolls in any school in the District prior to September 1, 2017, within 10 days of receiving notification of the Student's intent to return and 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, with the purposes of (1) determining whether the Student is eligible for special education or related services and developing an appropriate plan to administer those services; (2) determining whether the Student might be eligible for medical homebound services and providing substantial guidance and assistance to the parent/guardian with regard to how to procure those services if necessary; and (3) developing a plan for providing compensatory services to the Student for the time period during the 2015-16 school year that the Student did not receive appropriate regular and/or special education or related services. The group will develop a plan for providing timely compensatory services with a completion date not to extend more than six months beyond the Student's return to the District. At minimum, the compensatory services will include 40 hours of individual or small group instruction and shall not interfere with the Student's regular classroom instruction. The School will provide the Student's parent/guardian with notice of the procedural safeguards, including the right to challenge the group's determination through an impartial due process hearing.

### Reporting Requirements:

- a. Within one week of any meeting, the School 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 services to the Student, the notice of procedural safeguards, the written invitation to the Student's parent/guardian, and a list of meeting attendees. OCR will review the documentation submitted to ensure that the School met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35, and 104.36, in making these determinations.
- b. The School will provide the Student's parent/guardian with written notice of the outcome of the meeting, including an explanation for decisions made and a description of and schedule for providing compensatory services (if any) to the Student. The School will provide a copy of this written notice to OCR.
- c. Within one week of completion of the provision or compensatory services, the School will provide documentation to OCR of the dates, times, and locations that compensatory services were provided, a description of what was provided, and the name(s) of the service provider(s).

The School understands that OCR will not close the monitoring of this Agreement until OCR determines that the School has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35 respectively.

The School understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the School understands that during the monitoring of this Agreement, OCR may visit the School, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the School has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35 respectively, which were at issue in this case.

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

By: \_\_\_\_\_/S/\_\_\_\_\_ Date: \_\_\_\_\_9/29/16\_\_\_\_\_

Dr. W. Burke Royster, Superintendent