

**AGREEMENT**  
**ONslow COUNTY SCHOOL SYSTEM**  
*Complaint No. 11-02-1035*

Onslow County School System (the District) enters this Agreement to resolve Office for Civil Rights (OCR) Complaint No. 11-02-1035.

**A. GENERAL PROVISIONS**

1. This Agreement does not constitute an admission by the District 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. Full implementation of this Agreement by the District resolves the allegations in OCR Complaint No. 11-02-1035.

**B. DEFINITIONS**

1. ***Adequate diabetes care*** -- care of students with diabetes by individuals who have successfully completed ADCP training.
2. ***Authorized Diabetes Care Provider (ADCP) training*** -- training that is approved by the American Diabetes Association (ADA) which provides instruction in caring for individuals with diabetes, and which includes instruction in: unassisted administration of glucagon and insulin shots and recording of results; understanding physician instructions concerning drug dosage, frequency, and manner of administration; North Carolina Board of Pharmacy regulations concerning drug storage, security and recordkeeping; symptoms of hypoglycemia and hyperglycemia; the time within which glucagon or insulin shots are to be administered to prevent adverse consequences; performing fingerstick blood glucose testing and monitoring and recording the results of that testing and monitoring; and the appropriate steps to take when glucose level results are outside of the target ranges indicated in a student's Health Care Plan.
3. ***Authorized Diabetes Care Provider (ADCP)*** – an individual who has successfully completed ADCP training.
4. ***Bus Driver Diabetes Care Provider (BDDCP) training*** -- training authorized by the District that provides instruction in: recognizing the symptoms indicating that there is a need for care for a student with diabetes, symptoms of hypoglycemia and hyperglycemia, and appropriate steps to take

**Page 2 –Onslow County Commitment to Resolve**

- when glucose levels are creating emergency conditions as described in the student's medical order.
5. **Bus Driver Diabetes Care Provider (BDDCP)** -- an individual who has successfully completed BDDCP training.
  6. **Diabetes Care Assistant Provider (DCAP) training** – training authorized by the District that provides instruction in: recognizing the symptoms that there is a need for adequate care for a student with diabetes, proper methods for referring students who require adequate care to an ADCP, recommended schedules and menus for meals and snacks, and recommended frequency of and activities in exercise periods.
  7. **Diabetes Care Assistant Provider (DCAP)** – an individual who has successfully completed DCAP training.
  8. **Health Care Plan** – a plan developed under Section 504, Title II and, as appropriate, the Individuals With Disabilities Education Act, that identifies the needs of -- and services to be provided to -- a student with diabetes who has a medical order, which plan is developed by individuals who are responsible for implementing the plan.
  9. **Regular School Hours** – All school hours during which scheduled academic classes take place.

**C. SUBSTANTIVE PROVISIONS**

1. By September 30, 2002, and continuously thereafter, the District will:
  - a. Complete ADCP training for sufficient numbers of District staff to comply with this Agreement;
  - b. Designate at least two full-time ADCPs (one to be "on-duty" and one to serve as a back-up) on staff in each school attended by one or more students with a Health Care Plan to provide these students with adequate diabetes care;
  - c. Designate additional ADCPs as needed to provide students with Health Care Plans with adequate diabetes care;
  - d. Complete DCAP training for all District staff (except ADCPs and BDDCPs) who are or may be responsible for the immediate custodial supervision or care of students with Health Care Plans;

***Page 3 –Onslow County Commitment to Resolve***

- e. Complete BDDCP training for all District staff who are or may be responsible for transporting District students to or from school or school-sponsored field trips or extracurricular activities;
  - f. Maintain a location in each school attended by one or more students with a Health Care Plan to provide privacy during the diabetes-related care and testing of those students;
  - g. Ensure the presence of at least one ADCP at each school attended by one or more students with a Health Care Plan during all regular school hours that a student with a Health Care Plan is on the premises;
  - h. Upon reasonable advance request by the parent or guardian of a student with a Health Care Plan, provide an ADCP for each school-sponsored field trip in which such a student participates;
  - i. Upon reasonable advance request by the parent or guardian of a student with a Health Care Plan, provide an ADCP for each school-sponsored extracurricular activity or program -- and for each extracurricular activity or program that receives significant assistance from the District -- in which such a student is a direct participant, but not when that student is solely an observer or an audience member;
  - j. Provide a BDDCP or a DCAP on board a District bus at any time that a student with a Health Care Plan is being transported on that bus;
  - k. Ensure that all immediate custodial supervision or care of each student with a Health Care Plan be provided by a DCAP or ADCP;
  - l. Provide or arrange for timely, ongoing ADCP, DCAP and BDDCP training necessary to meet the requirements of this Agreement; and
  - m. By the first day of each school year, send a letter to the parents of all District students with diabetes of which the District is aware notifying them of the District's current policies and practices on the care of students with diabetes who have a medical order.
2. By September 6, 2002, the District will develop and implement a Health Care Plan for each District student with diabetes who has a medical order when required by Section 504 or Title II. Each plan will provide those services required by Section 504 and Title II. For example, each plan will, when appropriate, permit a student to: see school ADCPs or medical personnel upon request; self-test, self-treat and self-monitor in the classroom and during all school sponsored activities, field trips and programs; eat snacks and drink beverages to prevent hypoglycemia; miss school without consequences for diabetes-related care, provided the absence is medically

***Page 4 –Onslow County Commitment to Resolve***

documented; and be excused to use a restroom, as necessary. District staff may take into account any previous abuse of these permitted activities in determining whether to grant future requests.

***D. REPORTING PROVISIONS***

1. By October 31, 2002, the District will provide OCR with a report on its compliance with Subsection C.1. of this Agreement containing:
  - a. With respect to each paragraph of this Subsection, a certificate of compliance with that paragraph;
  - b. Descriptions of -- and all materials related to -- the ADCP, DCAP and BDDCP training provided to District staff, and the names, titles and telephone numbers of the individuals who provided the training;
  - c. A listing of each school for which sufficient ADCPs have been designated and the number of ADCPs designated for each school;
  - d. A listing of each school at which the District maintains a location to provide privacy during the diabetes-related care and testing of students with Health Care Plans, and a description of each such location; and
  - e. A sample of the signed letter the District sent to the parents of all District students with diabetes of which the District was aware pursuant to Paragraph C.1.m. of this Agreement, and a certification that the District sent these letters to all of these parents.
2. By September 30, 2002, the District will provide OCR with a report on its compliance with Subsection C.2. of this Agreement containing a certification that the District has developed and implemented a Health Care Plan for every District student with diabetes that has a medical order.
3. If the District is not able to meet any of the dates in Section C, it will submit an explanation of why compliance was not achieved and a timetable for achieving compliance. Despite any failure to timely comply with Section C, the District shall nevertheless submit its reports to OCR by the dates set out in Subsections D1 and D2, as appropriate.

*Page 5 –Onslow County Commitment to Resolve*

By: \_\_\_\_\_  
Dr. Ronald B. Singletary  
Superintendent  
Onslow County School System

\_\_\_\_\_ Date