

**Voluntary Resolution Agreement
Knox County Schools
OCR Complaint # 03131094**

In order to resolve the allegations in the above-referenced complaint, filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act of 1990 (Title II) and their implementing regulations, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, Knox County Schools (the District) voluntarily enters into this resolution agreement (Agreement) and commits to implement the provisions set forth in this agreement in order to resolve this complaint. This Agreement does not constitute an admission of liability on the part of the District and does not constitute a determination by OCR of any violation of any regulations enforced by OCR.

The District voluntarily agrees to take the following actions:

Action Steps:

1. By April 15, 2014, and annually thereafter, the District will provide training to all District administrators and staff regarding the District's policies and procedures related to Section 504 and Title II. The training will be conducted by an individual knowledgeable about Section 504 and Title II, and will include the following information:
 - a. The District's responsibility to ensure that it will initiate an evaluation of any student it suspects as having a disability as defined in 34 C.F.R. § 104.3(j).
 - b. The District's responsibility to adhere to the procedural requirements of the regulation implementing Section 504 at 34 C.F.R. § 104.35; specifically in interpreting evaluation data and making decisions, the District will;
 - a) draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior;
 - b) establish procedures to ensure that information obtained from all such sources is documented and carefully considered; and
 - c) ensure that decisions are made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. In addition, the District will provide notice of its decisions and notice of Section 504 procedural safeguards/due process rights pursuant to 34 C.F.R. § 104.36, to the student's parents. If it is determined that the student is a qualified student with a disability, and in need of special education and related aids and services, the

District will, at a minimum, implement Section 504 at 34 C.F.R. § 104.35(b),(c), and (d)

- c. The District's responsibility to ensure that nonacademic services (XXXXXXXXX XXXXX XXXXX XXX XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX) are provided in a manner as is necessary to afford students with disabilities equal opportunity to participate, consistent with 34 C.F.R. § 104.34(b) and 104.37(a)(2).
- d. X-paragraph-X
- e. X-paragraph-X

Reporting Requirement

- 2. By May 1, 2014, the District will submit documentation demonstrating implementation of Action Step #1 (a-e). The documentation will include, a) the date of the training, b) copy of the training materials, c) the name(s), title(s) and credentials of the individual(s) who conducted the training, d) the topics addressed at the training, and e) a copy of the sign-in sheet revealing the names and titles of all District and staff attendees.

The District agrees to comply with the terms of this Agreement until OCR has released it from monitoring. OCR will not close the monitoring until it determines that the District has fulfilled the terms of this Agreement and is in compliance with the provisions of Section 504 and Title II which are applicable to this complaint.

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, 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 complied with the terms of this Agreement and the provisions of Section 504 and Title II which are applicable to this complaint.

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

/s/

1-2-2014

Superintendent or Designee

Date