

**Voluntary Resolution Agreement
Tyler County Schools
Docket # 03141214**

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 its implementing regulation at 34 C.F.R. Part 104 and Title II of the Americans with Disabilities Act (Title II) and its implementing regulation at 28 C.F.R. Part 35, Tyler County Schools (the District) voluntarily enters into this Resolution Agreement (Agreement). This Agreement does not constitute an admission of liability on the part of the District, nor does it constitute a determination by OCR that the District violated any of the regulations enforced by OCR.

The District voluntarily makes the following commitments to OCR:

1. By January 15, 2015, the District will distribute a memorandum to all staff, employees and administrators at XXXXXX reminding them of the District's responsibility to provide a free appropriate public education (FAPE), including nondiscrimination in all of its programs and activities to each qualified person within its jurisdiction, regardless of the nature or severity of the individual's disability. The memorandum will also remind staff, employees and administrators that they must provide non-academic and extracurricular services and activities, XXXXXX, in such a manner as is necessary to afford students with disabilities an equal opportunity for participation in such services and activities.

Reporting Requirement: By January 30, 2015, the District will provide OCR with a copy of the memorandum and distribution list in accordance with Commitment #1 above.

2. By May 30, 2015, the District will provide training to all staff, employees and administrators at XXXXXX administrators and staff regarding Section 504 and the District's responsibility to provide a FAPE, including nondiscrimination in all of its programs and activities to each qualified person within its jurisdiction, regardless of the nature or severity of the individual's disability. The training will also address the District's responsibility to provide non-academic and extracurricular services and activities, XXXXXX, in such a manner as is necessary to afford students with disabilities an equal opportunity for participation in such services and activities. The training will be provided by staff most knowledgeable about Section 504 and Title II, or by a non-employee with expertise about these regulations in relation to the rights of students with disabilities to participate in nonacademic or extracurricular activities.

Reporting Requirement: By February 15, 2015, the District will provide OCR with a copy of the proposed training program and/or PowerPoint presentation as well as the identity of the trainer(s), including his/her qualifications related to Section 504 and Title II, for review and approval. Within 30 days of OCR's approval of the District's proposed training presentation, the District shall provide the training in accordance with Commitment #2.

Within 30 days of completion of the training noted, the District shall provide to OCR the date(s) the training was provided, copies of the training materials/handouts, a list of participants by name and title, and the trainers name, title and credentials.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. 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 is in compliance with the regulations implementing Section 504 at 34 C.F.R. § 104.37 and Title II at 28 C.F.R. § 35.130, which were at issue in this complaint.

The District understands that 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 regulations implementing Section 504 at 34 C.F.R. § 104.37 and Title II at 28 C.F.R. § 35.130, which were at issue in 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 District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

/s/

Superintendent and/or designee
Tyler County Schools

1/5/2015

Date