

**Red Clay Consolidated School District
Resolution Agreement
Complaint #03151057**

The Red Clay Consolidated School District (the District) submits this Resolution Agreement to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the above-referenced complaint and ensure compliance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35. In furtherance of this obligation, and while expressly denying any and all liability with respect to the allegations in the complaint, the District agrees to take the following actions:

Action Items

1. By July 15, 2015, after providing proper written notice xxx – paragraph redacted -- xxx.

Reporting Requirements:

- xxx – paragraph redacted -- xxx
 - xxx – paragraph redacted -- xxx
2. By September 1, 2015, the District will disseminate a memorandum to all administrators and staff responsible for the administration of student discipline, reminding them of their obligation to comply with the procedural requirements of Section 504 in making significant changes in a student's educational placement, including those arising as a result of disciplinary measures, and explaining that failure to do so, is a violation of Section 504.

Reporting Requirement:

- By September 15, 2015, the District will submit documents to OCR demonstrating its fulfillment of Action Step #2 above.

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 District, 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 in compliance with the Section 504 implementing regulation at 34 C.F.R. § 104.35 and 104.36, and Title II, at 28 C.F.R. §§ 35.130(a) and (b)(1)(iii), which were at issue in this case.

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 in compliance with

Section 504's implementing regulations at 34 C.F.R. § 104.35 and 34 C.F.R. §104.36 and Title II, at 28 C.F.R. §35.130(a) and (b)(1)(iii), 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 and 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.

This Resolution Agreement will become effective immediately upon the signature of the Superintendent or his/her designee below.

/s/

6/12/15

Name and Title (District Superintendent or designee)

Date