

**Voluntary Resolution Agreement
Cabell County Schools
Complaint #03-10-1220**

The U.S. Department Education, Office for Civil Rights (OCR) and the Cabell County School (the District) enter into this Voluntary Resolution Agreement (Agreement) to resolve the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District.

The District assures OCR that it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. Section 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. Sections 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

Prior to the completion of OCR’s investigation, the District agreed to resolve the issues presented in this complaint pursuant to Section 302 of OCR’s Case Processing Manual. Accordingly, to resolve the issues under investigation, the District agrees to take the actions outlined below.

Action Items

1. By September 1, 2020, the District will provide written notification to the Complainant that he may re-enroll the Student in the District during the 2020-2021 school year, and that if he chooses to do so, within 10 days of her re-enrollment, a group of persons knowledgeable about the Student, including the Complainant, will convene a meeting to
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In making this determination, the team will adhere to the requirements prescribed by Section 504 and its implementing regulation, at 34 C.F.R. Section 104.34 (educational setting) 34 C.F.R. Section 104.35 (evaluation and placement) and 34 C.F.R. Section 104.36 (procedural safeguards).
2. XXX
XXXXXXXXXXXX the Complainant disagrees with the meeting outcome, he may invoke the District’s procedural safeguards, including but not limited to the District’s Section 504 Grievance Procedures, as appropriate.

Reporting Requirements

1. By September 15, 2020, the District will provide OCR with documentation that it sent the notice required by Action Step 1 to the Complainant.
2. If the Student re-enrolls in the District during the 2020-2021 school year, within 30 days of her re-enrollment, the District will submit to OCR documents showing that the

