Voluntary Resolution Agreement
Marshall County Public Schools – OCR Complaint No. 03191286

The U.S. Department of Education (Department), Office for Civil Rights (OCR) enters into this Agreement to resolve the above-referenced complaint with the Marshall County Public Schools (the District). This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the Respondent. The Respondent agrees to take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II) and their respective implementing regulations, at 34 C.F.R Part 104 and 28 C.F.R. Part 35, which prohibit discrimination based on disability.

Prior to the completion of OCR's investigation, the Respondent agreed to resolve the complaint pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the complaint, the Respondent agreed to take the following actions.

1. The Respondent recognizes its obligation under the regulation implementing Section 504 at 34 C.F.R. § 104.33 to provide a free appropriate public education (FAPE) to each qualified student with a disability in its jurisdiction, including diabetic students. In addition, the Respondent recognizes its obligations to fully implement students' plans that address their needs, including XXXXXXXXXXXXXXXXXXXXXXXXXXXXXX lXXXXXXXXXXXXXXXXXXXXXXX. Furthermore, regarding students who XXXX XXXXX, the Respondent recognizes its evaluation and placement obligations under the regulation implementing Section 504 at 34 C.F.R. §§ 104.34-104.36.

2. The Respondent will disseminate a memorandum (this memorandum can be sent electronically) to all staff and administrators, including the nurse, at the North Marshall Middle School (the School) regarding the obligations set forth in Step 1.

   Reporting Requirement: By March 20, 2020, the Respondent will provide OCR with a copy of the memorandum to all School staff and administrators and evidence that it has been distributed, including the date and method of distribution and the identity of the recipients.

3. The Respondent will provide specialized training to the School Principal, the Student's teacher and the School nurse, as well as any other staff who are responsible for assisting students with their medical needs, XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX.

   Reporting Requirement: By March 20, 2020, the Respondent will provide OCR with documentation evidencing that the required staff have received training as set forth above.

The Respondent understands that by signing this Agreement, they agree to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the Respondent understand that during the monitoring of the resolution agreement, if necessary, OCR may visit the Respondent, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Respondent have fulfilled the terms and obligations of the resolution agreement. Upon the Respondent's satisfaction of the commitments made under the Agreement, OCR will close the cases.

The Respondent understand and acknowledge that OCR may initiate proceedings to enforce the specific terms and obligations of the resolution agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the Respondent written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_/s/_____ __10/1/2019_____

District Designee Date