



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION IV

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ATLANTA, GA 30303-8927

REGION IV
ALABAMA
FLORIDA
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Resolution Agreement
Sumner County School District, TN
OCR Docket # 04-13-1708

The Sumner County School District (District) submits to the U.S. Department of Education, Office for Civil Rights (OCR), this Resolution Agreement (Agreement), pursuant to Section 302 of the Case Processing Manual, to voluntarily resolve the above referenced complaint and to ensure compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and Title II of the Americans with Disabilities Act of 1990 (Title II), as amended, 42 U.S.C. §§ 12131 *et seq.* OCR has not made a compliance determination in this case, and the District's voluntary resolution of the complaint does not constitute a finding or admission that the District is not in compliance with Section 504 or Title II. Accordingly, the District voluntarily agrees to take the following actions.

2014-2015 Bowling Team

1. By March 7, 2014, the District, in writing, will remind the Complainant of its offer to provide the Student coaching, free of charge, from the present date until the 2014-2015 bowling tryouts, for the Student to learn and/or improve on the areas assessed during tryouts (approach, release, aim and overall performance). The letter will inform the Complainant and the Student of the name of the coach, location, dates and times when the Student can receive the coaching and who they should contact to get this coaching scheduled.

REPORTING REQUIREMENT:

By March 7, 2014, the District will provide documentation demonstrating that it reminded the Complainant, in writing, of its offer to provide free coaching to the Student, upon the Complainant's acceptance of the offer until the 2014-2015 bowling tryouts.

By August 15, 2014, the District will provide a report on whether the Student availed herself of any coaching in the Spring and Summer of 2014, and how often.

2. By August 15, 2014, if the Student elects to try out for the 2014-2015 bowling team, (a) the School will convene a meeting with the Complainant, the Student and the bowling coaches (and others, if any, that the coaches and the Complainant believe could be of help, such as the Student's special education teacher(s) or the School's Special Education Coordinator) to determine whether reasonable modifications or aids and services are necessary to provide the Student with an equal opportunity to participate in the School's 2014-2015 bowling team tryouts; and, (b) if the group concludes that reasonable modifications or aids and services are necessary to provide the Student with an equal opportunity to participate in the School's 2014-2015 bowling team tryouts, the modifications or necessary aids and services will be put in writing and shared with the bowling team's coaches and provided to the Student during the bowling tryouts.

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness
by fostering educational excellence and ensuring equal access.*

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REPORTING REQUIREMENT:

(a) By August 15, 2014, the District will provide documentation demonstrating that the meeting required by Item 2 was held. The documentation shall include, but is not limited to, the minutes from the meeting, and the name and title of the meeting participants.

(b) By August 15, 2014, if the group concludes that reasonable modifications or aids and services are necessary to provide the Student with an equal opportunity to participate in the School's 2014-2015 bowling team tryouts, the District will provide documentation showing the list of modifications and or necessary aids and services, when they will be provided and by whom.

(c) By September 5, 2014, the District will provide documentation showing that the District provided such modifications or aids and services identified as necessary by the group. The documentation shall demonstrate the nature of the modifications or aids and services provided, the date(s) they were provided, and the provider(s) of the same.

3. By September 5, 2014, if the Student is selected for the 2014-2015 bowling team, (a) the School will convene a meeting with the Complainant, the Student and the bowling coaches (and others, if any, that the coaches and the Complainant believe could be of help such as the Student's special education teacher(s) or the School's Special Education Coordinator) to determine whether reasonable modifications or aids and services are necessary to provide the Student with an equal opportunity to participate in the School's 2014-2015 bowling team; and, (b) if the group concludes that reasonable modifications or aids and services are necessary to provide the Student with an equal opportunity to participate in the School's 2014-2015 bowling team, the modifications or necessary aids and services will be put in writing and shared with the bowling team's coaches and provided to the Student during the bowling team's practice and competitive season.

REPORTING REQUIREMENT:

(a) By September 5, 2014, the District will provide documentation demonstrating that the meeting required by Item 3 was held. The documentation shall include, but is not limited to, the minutes from the meeting and the name and title of the participants.

(b) By September 5, 2014, if the group concludes that reasonable modifications or aids and services are necessary to provide the Student with an equal opportunity to participate in the School's 2014-2015 bowling team, the District will provide documentation showing the list of modifications and or necessary aids and services, when they will be provided and by whom.

(c) By November 28, 2014, the District will provide documentation showing that the District provided such modifications or aids and services identified as necessary by the group. The documentation shall demonstrate the nature of the modifications or aids and services provided, the date(s) they were provided, and the provider(s) of the same.

Faculty and Staff Training

4. By August 15, 2014, and thereafter on an annual basis, the District will provide training to the School's faculty and staff, including volunteer coaching staff, regarding the District's obligation to provide students with disabilities an equal opportunity to participate in extracurricular athletics.

REPORTING REQUIREMENT: By August 15, 2014, the District will provide documentation demonstrating that the District has conducted training pursuant to Item 4. The documentation shall include, at a minimum, the date of the training session, the staff who attended the training session, a description of the presenter's background and qualifications, and a copy of the agenda and the training materials disseminated.

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 regulations implementing Section 504 at 34 C.F.R. §§ 100.4 (a)-(b) and 104.37; and Title II at 28 C.F.R. § 35.130 (a)-(b).

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the recipient has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§ 100.4 (a)-(b) and 104.37; and Title II at 28 C.F.R. § 35.130 (a)-(b).

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.

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

Superintendent or Designee

Date