



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

61 Forsyth St., Suite 19T10  
ATLANTA, GA 30303

REGION IV  
ALABAMA  
FLORIDA  
GEORGIA  
TENNESSEE

**RESOLUTION AGREEMENT  
PALM BEACH COUNTY SCHOOL DISTRICT  
OCR Docket Number 04-14-1560**

The Palm Beach 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 its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), as amended, 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35. Accordingly, the District voluntarily agrees to take the following actions.

**Palm Beach Middle School Activities Association Constitution and Bylaws Revision**

1. By January 5, 2015, the District will revise the eligibility provision found in Article VIII of its Middle School Activities Association Constitution and Bylaws (Bylaws) to include a waiver process for the age eligibility requirement to ensure that students with disabilities are provided an equal opportunity to participate in athletics.

**REPORTING REQUIREMENT:**

- (a) By January 5, 2015, the District will submit to OCR a copy of the revised eligibility provision for OCR's review and approval; and
- (b) By August 14, 2015, or within 30 days of OCR's approval of the revised eligibility provision, the District will publish the revised Bylaws in the Student Eligibility Athletic Packet (Form PBSB 1588MS) that is distributed to middle school students in the District.

**Training**

2. By August 14, 2015, the District will provide training to faculty and staff responsible for implementing the Bylaws on the revised eligibility provision.

**REPORTING REQUIREMENT:**

By August 21, 2015, the District will provide documentation to OCR demonstrating that its faculty and staff have completed the training pursuant to Item 2 above. The documentation shall include, but shall not be limited to: (1) the date of the training session; (2) a list of the names and job titles of the District's faculty and staff who participated in the training session; and (3) a copy of the training materials disseminated, or, in the event of electronic training, provide the training content.

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

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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. § 104.37(a) and (c), and Title II at 28 C.F.R. § 35.130 (a) and (b).

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 the regulations implementing Section 504 at 34 C.F.R. § 104.37(a) and (c), and Title II at 28 C.F.R. § 35.130 (a) and (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 signature of the District's Superintendent or designee below.

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**Superintendent or Designee**  
**Palm Beach County School District**

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**Date**