

**Sumner County School District  
Complaint Number 04-14-1788  
Resolution Agreement**

Sumner County School District (District) agrees to resolve a compliance concern identified during the investigation of complaint number 04-14-1788 filed with the U.S. Department of Education, Office for Civil Rights (OCR). The District submits this Resolution Agreement (Agreement) to ensure compliance with the requirements of 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), 42 U.S.C. § 12132, and its implementing regulation at 28 C.F.R. Part 35.

**Section 504 and Title II – Policies and Procedures**

- A. **By April 1, 2015**, the District will, subject to OCR's review and approval, revise its notice of procedural safeguards and Board policy to add a review procedure for its impartial hearings conducted pursuant to 34. C.F. R. § 104.36.

REPORTING REQUIREMENT: **By April 10, 2015**, the District will submit to OCR for its review and approval, the Section 504 procedural safeguards and Board Policy revised in accordance with the above paragraph.

- B. **By June 1, 2015**, or within 60 days after receiving written notification from OCR that the Section 504 procedural safeguards and board policy, as revised in accordance with Item A above, is consistent with the requirements of Section 504 and Title II , whichever is later, the District will publish the revised procedures in its student, parent, and staff handbooks and other guidance related to Section 504, the District's website, and/or any other place where the District publishes its Section 504 procedures.

REPORTING REQUIREMENT: **By June 1, 2015**, or within 60 days after receiving the notification from OCR referenced in Item B, the District will submit to OCR information documenting the District's implementation of Item B above. Such documentation should include, but will not necessarily be limited to, a copy of the notification placed on the District's website along with the web address for the notification; a copy of the student, parent, and staff handbook or guidance revisions or inserts; and a list of every location where the District publishes its Section 504 procedures.

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. §§ 104.33 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 also 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. §§ 104.33, 104.34, 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 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/her designee below.

---

Del R. Phillips, III, PhD  
Superintendent  
Sumner County School District

---

Date