

**Resolution Agreement
County Schools
OCR Docket Number 04-15-1446**

The U.S. Department of Education, Office for Civil Rights (OCR), initiated the above-referenced investigation of Lawrence County Schools (District), pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S. C. § 794, and its implementing regulation, 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance; and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 et seq., and its implementing regulation, 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public entities. The District agreed to resolve the issues of this complaint pursuant to Section 303 of OCR's Case Processing Manual (CPM). Accordingly, to ensure compliance with Section 504 and Title II and their implementing regulations and to resolve the issues of this complaint, the District voluntarily agrees to take the following actions.

Training

1. By [Insert Month and Day], 2016, the District will initiate annual training to School staff involved in the provision of Section 504 services to students at the School. Training will include the requirements under the Section 504 implementing regulation at 34 C.F.R. §§ 104.33, 104.35, and 104.36, and the Title II implementing regulation at 28 C.F.R. § 35.130, including the requirement that the District provide those services identified by a student's Section 504 team as necessary to meet the student's disability-related needs.

REPORTING REQUIREMENT: By [Insert Month and Day], 2016, the District will provide documentation to OCR demonstrating that the District initiated the annual training described above. The documentation shall include: (1) a list (by name and title) of all staff involved in the provision of Section 504 services to students at the School; (2) the date of the training session; (3) a list (by name and title) of all staff who participated in the training session; (4) a description of the presenter's background and qualifications with respect to knowledge of Section 504 and evaluation and placement; and (5) a copy of the agenda and the training materials disseminated; the training materials must include evidence that participants were explicitly informed that it is their responsibility to provide the services identified by a student's Section 504 or Individualized Education Program (IEP) team, as necessary to meet the student's disability-related needs.

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 Section 504 implementing regulation at 34 C.F.R. §§ 104.33, 104.35, and 104.36, and the Title II implementing regulation at 28 C.F.R. § 35.130.

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 Section 504 implementing regulation at 34 C.F.R. §§ 104.33, 104.35, and 104.36, and the Title II implementing regulation at 28 C.F.R. § 35.130.

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.

Superintendent or Designee

Date