

**Resolution Agreement  
Conecuh County  
OCR Complaint #04-15-1481**

OCR and the Conecuh County School District (District) enter into this agreement to resolve the allegation in the above-referenced complaint. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District assures the U. S. Department of Education, Office for Civil Rights, (OCR), that it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. Section 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. Sections 12131, *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability and retaliation by recipients of Federal financial assistance and public entities, respectively.

Prior to the completion of OCR's investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issue in this investigation, the District agrees to take the following actions.

The District voluntarily agrees to take the actions set forth below.

**Student-Focused Remedy**

1. By October 31, 2017, the District will extend an offer to the Complainant to elect to return both Students back to a District school, tuition-free, for the remainder of the 2017-2018 school year. Part of this offer should include Student 1's IEP team convening an IEP meeting to determine the appropriate educational placement for Student 1, due to XXXXXX services he may require.

**REPORTING REQUIREMENT:** By November 10, 2017, the District will submit to OCR documentation showing that an offer to the Complainant for both Students was extended.

**Training Regarding Section 504/Title II**

2. By January 8, 2018, the District will initiate annual training of the District's Section 504 coordinator(s) and all XXXXXX XXXXXX XXXX School administrators, guidance counselors, and teachers, regarding Section 504 and Title II. The training must address, at a minimum:
  - Section 504's and Title II's prohibition against disability discrimination, including the District's obligation to provide students with disabilities a free appropriate public education;
  - Section 504's and Title II's prohibition against retaliation.

**REPORTING REQUIREMENT:** By January 22, 2018, the District will show it has provided the initial training session required of this Agreement. The District does not have to provide documentation of subsequent training sessions unless OCR requests that documentation. The documentation must include:

- the date, time, and location of the training;
- the topics addressed at the training;
- copies of handouts distributed to the training participants;
- the name(s) and title(s) of the individual(s) who conducted the training; and
- one or more sign-in sheets with the name and title of each employee who participated in the training.

The District understands that by signing this Agreement, it agrees to provide the foregoing 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 Section 504 and its implementing regulation at 34 C.F.R. § 104.65, and Title II, at 28 C.F.R. § 35.134, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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 sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the District's representative below.

\_\_\_\_\_  
Superintendent or Designee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name and Title