

**Resolution Agreement
Cobb County SD
OCR Complaint #04-16-1257**

The Office for Civil Rights (OCR) and the Cobb County School District (District) enter into this agreement to resolve the allegations 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 (Department), 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. § 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, *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

Prior to the completion of OCR's investigation, the District agreed to resolve Issue 1 of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve Issue 1 of this investigation, the District voluntarily agrees to take the following action.

Training

The District has taken or will take the following steps to ensure that all students eligible to receive disability related services are provided a FAPE:

The District will provide Section 504 and Title II training to all administration, faculty, and teaching staff at the XXXXX XXXXXXXX at XXXXXXXXX (XXXXXX XXXXXXXX)¹; all transportation staff and bus monitors assigned to the XXXXX XXXXXXXX; and the District's Section 504 Coordinator. The training shall be provided by a source with expertise in Section 504 and Title II and shall cover, at a minimum, Section 504 legal standards for concerning the provision of FAPE and the District's Section 504 policies and procedures with specific regarding to the requirement to provide a FAPE in accordance with the regulation implementing Section 504 at 34 C.F.R. § 104.33 (a) and (b). If the District desires, it may coordinate with OCR to provide the training at a mutually-agreeable time and place.

REPORTING REQUIREMENT

By **January 12, 2018**, the District will submit to OCR documentation demonstrating the completion of the training for the appropriate District faculty, staff, administrators and Coordinator from the School as well as the District Coordinator. Such documentation should include the date(s) of the training session(s); a copy of the agenda for the training; the name, position, and credentials of the trainer(s); an attendance sheet signed by the participants that indicates the names and titles; and a copy of the presentation.

¹ During the course of the investigation, the name of the facility changed from the XXXXXXXXX XXXXX XXXXXXXX (XXXXXX) to the XXXXX XXXXXXXX at Skyview (hereinafter referred to as XXXXX XXXXXXXX).

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. § 104.33 (a) and (b) and the Title II implementing regulation at 28 C.F.R. § 35.130. 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 (Signature)

Date

Printed Name and Title