

**Resolution Agreement
Lewis County School District, TN
OCR No. 04-16-1292**

The Lewis 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.

ACTION ITEM #1

1. **By August 1, 2016**, the District will issue written correspondence from the Principal of the School or from other higher level District personnel to the Complainant confirming that the Complainant may contact any District personnel regarding her Student. The District's written correspondence may suggest that the Complainant consider directing her inquiries regarding her Student to certain points of contact, but any such suggestion should clearly and expressly state that the Complainant is not limited to communicating with the suggested points of contact.

Reporting Requirement No. 1: **By August 1, 2016**, the District will provide OCR evidence that it provided the written correspondence to the Complainant as required under this Action Item.

ACTION ITEM #2

2. **By August 31, 2016**, the District shall conduct training for the School administration and staff on the Section 504 and Title II prohibition against discrimination on the basis of disability, including retaliation, intimidation or coercion directed against individuals who exercise their rights under Section 504 or Title II, and shall also include an explanation of what adverse actions may constitute retaliation.

Reporting Requirement No. 2: **By August 31, 2016**, the District will provide OCR with documentation that it provided the training required in Action Item 2. The documentation should include, at a minimum, a copy of the agenda for the training, a description of the presenter's background and qualifications, the related handouts provided during or before the training, the names and titles of attendees, a sign-in sheet from the training, and written assurance that all required attendees attended the training.

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. § 104.61, and Title II, at 28 C.F.R. § 35.134, 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. § 104.61, and Title II, at 28 C.F.R. § 35.134, 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 sixty (60) calendar days to cure the alleged breach.

The person signing for the District represents that s/he is authorized to bind the District to this Agreement.

This Agreement becomes effective the date of the signature below.

For Lewis County School District, TN:

/s/

Superintendent/Designee

July 22, 2016

Date