

**Resolution Agreement
Duval County Public Schools, Florida
OCR Docket #04-16-1474**

The U.S. Department of Education, Office for Civil Rights (OCR), initiated the above-referenced investigation of the Duval County Public Schools, Florida (District), pursuant to 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. §§ 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35. Prior to the completion of OCR's investigation, the District expressed an interest in resolving the issue of this investigation pursuant to Section 302 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 issue of this investigation, the District voluntarily agrees to take the following actions:

Staff Training

1. **By September 29, 2017**, the District will conduct training for all administrators, faculty, and staff at Southside Estates Elementary School (School) regarding the following two topics:
 - a. The requirement in Section 504, at 34 C.F.R. § 104.37, that a recipient educational institution must afford students with disabilities an equal opportunity to participate in its non-academic and extracurricular services and activities (including, but not limited to, field trips); and
 - b. The requirement in Section 504, at 34 C.F.R. § 104.33, that a recipient educational institution must provide a FAPE to each qualified student with a disability within its jurisdiction, regardless of the nature or severity of the student's disability. The provision of FAPE includes, for example, providing such services, modifications, or personnel/aides as are necessary for a student with a disability to attend a field trip.

Reporting Requirement

By October 13, 2017, the District will provide documentation to OCR demonstrating that the School has conducted the required training. The documentation shall include: (1) the date of the training session(s); (2) a list of the names and titles of the School employees who participated in the training session(s); (3) a description of the presenter's background and qualifications with respect to knowledge of Section 504/Title II; and (4) a copy of the agenda, training materials, or PowerPoint slides displayed or disseminated.

The District understands that by signing this Resolution Agreement (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 and 104.37.

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 and 104.37, 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. §§ 100.8-100.10) 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.

X, Superintendent, or Designee
Duval County Public Schools, Florida

Date