

**Resolution Agreement
Hamilton County Schools
OCR Docket # 04-16-1543**

OCR and the Hamilton County School District enter into this Resolution Agreement (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 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. § 12131 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.

ACTION ITEM:

Training:

By **August 15, 2018**, the District will provide training to Hamilton County High School Exceptional Student Education (ESE) and Section 504 Coordinator (s), administrators and District staff, including third party staff, and any other relevant staff who have responsibility for implementing the District's ESE and Section 504 services for students. The training will consist of an overview of the Section 504 and Title II legal standards regarding the development and implementation of students' IEPs and Section 504 plans and the prohibition of retaliation.

Reporting Requirements:

By **August 30, 2018**, the District will provide OCR with a written report confirming the completion of training specified in Action Item 3. The documentation shall include: (1) the backgrounds and qualifications of the presenters/trainers; (2) a copy of the transcript(s)/materials used for the training; and (3) a list of the participants' names and titles who completed the training.

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 regulations implementing Section 504, at 34 C.F.R. §§ 104.33 and 104.35, and the Title II implementing regulation at 28 C.F.R. § 35.130, which were at issue in this case. Upon the District's satisfaction of the commitments made under the Agreement, OCR will close the complaint.

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 and upon reasonable prior notice by OCR, 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 Title II.

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.

Superintendent or Designee

Date