

RESOLUTION AGREEMENT
Macon County Public Schools
OCR Docket Number 04-17-1119

The Macon County Public School District, Tennessee (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.

Item 1: By **June 30, 2017**, after providing proper written notice to the Complainant, a group of knowledgeable persons, including the Complainant, will convene a Section 504 meeting to determine whether a Section 504 plan is appropriate for Student 1 and Student 2. The District will provide the Complainant notice of the procedural safeguards including the right to due process.

Reporting Requirements:

a) By **July 15, 2017**, the District will provide OCR with all documentation considered by the group in determining whether a Section 504 Plan is appropriate for Student 1 and Student 2. The documentation should also include the documents reviewed, the names and title of the meeting participants, any discussion notes, and a copy of the Section 504 plan or plans, if applicable. OCR will review the documentation to ensure that the District complied with the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, in making these determinations.

Item 2: By **August 30, 2017**, the District will initiate annual training to the relevant faculty/staff, responsible for implementing the requirements of Section 504 Plans, including the School principal, administrators, counselors, and the Section 504 Coordinator

Reporting Requirement:

By **September 15, 2017**, the District will provide documentation to OCR demonstrating that its faculty and staff have completed the training pursuant to this provision of the Agreement. The documentation shall include, at a minimum, the date of the training session, a list of names and titles of employees who participated in the training, a list of any staff members who were not present at the training sessions and the District's plan for conducting training of the same, a description of the presenter's background and qualifications with respect to knowledge of Section 504 standards, and a copy of the agenda and the training materials disseminated.

The District 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. § 104.33 and Title II at 28 C.F.R. § 35.130.

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 Title II at 28 C.F.R. § 35.130.

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 Resolution Agreement will become effective immediately upon signature of the District's Superintendent or designee below.

District Superintendent or Designee
Macon County School District

Date