

**RESOLUTION AGREEMENT
SHELBY COUNTY SCHOOL DISTRICT
OCR Docket Number 04-17-1416**

The U.S. Department of Education, Office for Civil Rights (OCR) and the Shelby County School District (District) enter into this Resolution Agreement (Agreement) to resolve the allegation 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, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance; 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, which prohibit discrimination on the basis of disability by public entities.

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

Action Item 1

By November 15, 2017, the District will provide the Student a written statement from the Principal, which shall include 1) an apology that the Student was unable to participate fully in the 2017 junior prom; and 2) an assurance that students with disabilities, including the Student, will be provided an equal opportunity to participate in all school sponsored activities, including, but not limited to, the 2018 senior prom, in compliance with Section 504 and Title II.

Reporting Requirements:

By November 15, 2017, the District will submit to OCR a copy of the statement required by this action item and evidence that the same was delivered to the Student.

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 regulation implementing Section 504 at 34 C.F.R. § 104.4 (a) and (b), and the regulation implementing Title II at 28 C.F.R. 35.130 (a) and (b). 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 Resolution Agreement will become effective immediately upon signature of the District's Superintendent or designee below.

/s/

October 25, 2017

Superintendent or Designee
Shelby County School District

Date