

RESOLUTION AGREEMENT
Lamar County Schools
OCR Docket # 04-17-1629

OCR and the Lamar County School District enter into this agreement to resolve the allegations in the above-referenced complaint. The District assures the U.S. Department of Education, Office for Civil Rights (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 1

Individual Remedy:

By May 1, 2018, the District will convene a Section 504 meeting for the Student with a group of knowledgeable persons, including the Complainant/Parent, to review the incidents that gave rise to this complaint and discuss the possible impact of these incidents on the Student's ability to access an education. The meeting attendees will discuss in detail, with input from the Complainant/Parent: (1) the type of related aids and services the Student presently needs; and (2) whether the Student needs compensatory education. If compensatory education is deemed necessary, the District will, in writing, offer the education to the Complainant/Parent, detailing how the District will provide the compensatory education to the Student. If the Complainant accepts the compensatory education for the Student, all compensatory education for the Student must be provided within 180 calendar days of the Complainant acceptance.

Reporting Requirement:

By June 1, 2018, the District will provide OCR with copies of all of its communications to the Complainant related to Action Item #1 above, as well as documentation from the Section 504 meeting showing the participants in the meetings, an explanation of decisions made, the information considered, and a description of the schedule for providing any compensatory and/or remedial services (if any) to the Student.

By December 15, 2018, or within six months of meeting with the Complainant (whichever date comes later), if compensatory education is deemed necessary and accepted by the Complainant, the District will provide documentation showing that the services were made available.

ACTION ITEM 2

Training:

By June 30, 2018, the District will provide training to Lamar County Elementary School's Section 504 Coordinator(s), administrators, and the teachers who taught the Student during the 2017-2018 school year, as well as all School staff who had contact with the Student during the current academic year. The training will consist of an overview of the Section 504 and Title II legal standards regarding FAPE, evaluation, and implementation of Section 504 plans and IEPs, as well as how to prevent disability discrimination.

Reporting Requirements:

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

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 Section 504 implementing regulation, at 34 C.F.R. §§ 104.4 and 104.33. 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 Agreement will become effective immediately upon the signature of the District's representative below.

Dr. Jute Wilson
Superintendent

Date