



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION IV

61 FORSYTH ST., SOUTHWEST, SUITE 19T10
ATLANTA, GA 30303-8927

REGION IV
ALABAMA
FLORIDA
GEORGIA
TENNESSEE

November 8, 2018

Dr. Gina Williams
Superintendent
146 West Brazell Street
P.O. Box 157
Reidsville, GA 30453

Re: OCR Complaint #04-18-1524

Dear Dr. Williams:

The U.S. Department of Education (Department) Office for Civil Rights (OCR), has completed its investigation of the above referenced complaint filed on May 11, 2018, against the Tattnall County School District (District), alleging discrimination on the basis of disability. Specifically, the Complainant alleged that she was discriminated against when the Principal of Glennville Middle School would not allow her to bring her service animal (dog) to a school event that her daughter was participating in unless she provided ADA credentials and the dogs training records.

OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. Section 794, and its implementing regulation, 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance from the Department; and, Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. Sections 12131 *et seq.*, and its implementing regulation, 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public educational institutions.

As a result, OCR investigated the legal issue of whether the District discriminated on the basis of disability by requiring the Complainant to provide certification and training records for her service animal, in noncompliance with the Section 504 implementing regulation at 34 C.F.R. §104.4(b)(1)(i) and the Title II implementing regulation at 28 C.F.R. §35.130(a) and 35.136.

Prior to the completion of OCR's investigation, the District requested to voluntarily resolve this complaint. Pursuant to Section 302 of OCR's Case Processing Manual, a complaint may be resolved, before the conclusion of an investigation, when the recipient or public entity expresses an interest in resolving the complaint. The attached Resolution Agreement (Agreement) will require the District to take actions to remedy any compliance concerns regarding Service Animals.

On November 5, 2018, OCR received the enclosed signed Agreement that, when fully implemented, will resolve the complaint. OCR will monitor the District's implementation of this

Agreement to ensure that it is fully implemented. If the District fails to fully implement the Agreement, OCR will reopen the case and take appropriate action to ensure compliance with Section 504. The Complainant may file a private suit in federal court whether or not OCR finds a violation.

Sincerely,

April England-Albright
Supervisory General Attorney

Enclosure