

RESOLUTION AGREEMENT
Morgan County School District
OCR Case No. 04-19-1010

The U.S. Department of Education, Office for Civil Rights (OCR), and the Morgan 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 wrongdoing or liability by the District pursuant to Section 504 or Title II. 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), and its implementing regulation, 34 C.F.R. Part 104, Title II of the Americans with Disabilities Act of 1990 (Title II), and its implementing regulation, 28 C.F.R. Part 35.

Prior to the completion of OCR's investigation, District asked to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to ensure compliance with Section 504 and Title II, and to resolve the issues of this investigation, the District voluntarily agrees to take the following actions:

Action Item 1 - Service Animal Policy

1. Within thirty (30) days of the execution of this Agreement, the District shall submit to OCR for review and approval, its revised policy or procedure to permit the use of a service animal by an individual with a disability consistent with the provisions of Section 504 at 34 C.F.R. §§ 104.4(a); 104.4(b)(vii) and Title II at 28 C.F.R. § 35.136.
2. Within sixty (60) days of OCR's approval of the Service Animal Policy, the District will:
 - a. adopt, implement, and disseminate the approved Service Animal Policy to all current District administrators, faculty, teachers, and bus drivers.
 - b. publish the Service Animal Policy on the District's website and on the websites of each local school that maintains an additional local school website for the public.
 - c. publish the Service Animal Policy in its electronic versions of the Student and Parent handbooks.
 - d. send an electronic notification to the e-mail address on file for all parents/guardians notifying them of the revised Service Animal Policy, including a link to the full Service Animal Policy.

Reporting Requirement: Within thirty (30) days of the execution of this Agreement, the District shall submit to OCR for review and approval, its revised policy or procedure to permit the use of a service animal by an individual with a disability consistent with the provisions of Section 504 at 34 C.F.R. §§ 104.4(a); 104.4(b)(vii) and Title II at 28 C.F.R. § 35.136.

Within sixty (60) days of OCR's approval of the Service Animal Policy, the District will provide OCR with documentation that demonstrates that it has adopted, implemented and disseminated the Service Animal Policy to all current District administrators, faculty, teachers, and bus drivers; published the Service Animal Policy on its website,

and on the websites of each local school that maintains an additional local school website for the public; provided electronic versions of the Service Animal Policy in its Student and Parent handbook; and provided electronic notice to the e-mail address on file for all parents/guardians notifying them of the revised policy, including a link to the full Service Animal Policy.

Action Item 2 -Training for District Faculty and Staff

1. Within sixty (60) days of the execution of this Agreement, the District will provide training on the Section 504 and Title II non-discrimination obligation to individuals with disabilities who use service animals and on the terms and conditions of the District's revised Service Animal Policy. The training will address, at minimum, general obligations under Section 504 and Title II to grant access to individuals who use service animals; guidelines and examples explaining the bases for excluding a service animal; and clarification that there is no requirement that the student or visitor provide evidence of his or her disability or evidence of the animal's certification. The training will be provided to all school administrators, faculty, teachers, para-professionals/aides, and bus drivers.

Reporting Requirement: Within fifteen (15) days of completion of the training, the District will provide documentation demonstrating the following: a) the date, time and location of the training; b) an outline of the training and/or copy of the materials disseminated at the training; c) the name(s), title(s), and credentials of the individual(s) who conducted the training; d) the name and title of each individual who attended the training (including dated sign-in sheets with the attendees' names, titles, and work locations); and, e) the total number of staff members not in attendance and the measures taken by the District to ensure that each is provided the training materials and an opportunity to ask questions to clarify the materials.

The District understands that by signing this Agreement, it agrees to provide the 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, 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. Part 104 and Title II at 28 C.F.R. Part 35, which was at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close 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 Superintendent or designee below.

By: _____ Date: _____
Superintendent or Designee