

**Resolution Agreement  
Madison County School District  
OCR Complaint #04-19-1134**

The U.S. Department of Education (Department), Office for Civil Rights (OCR) and the Madison County, Florida, School District (District) enter into this Resolution Agreement (Resolution Agreement) to resolve the allegations in 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), 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulation, 28 C.F.R. Part 35.

The Resolution Agreement reflects voluntary actions to be taken by the District to ensure continued compliance with Section 504 and Title II. The Resolution Agreement does not constitute an admission of liability, non-compliance or wrongdoing on the part of the District. The District agrees to implement the actions described below:

**Complainant/Student Focused Remedy**

- 1. By June 17, 2019**, the District shall invite the Complainant to re-enroll her Student within the District school of her choosing. If the Complainant accepts the District's invitation for enrollment, the District shall ensure that, within fifteen (15) days of the Student's re-enrollment, a group of knowledgeable persons are convened to determine and or clarify what, if any, special education or related aids and services are required to ensure the Student's receipt of a free appropriate public education (FAPE). The group shall draw upon information from a variety of sources, including but not limited to the Student's social or cultural background and adaptive behavior, as prescribed by the Section 504 implementing regulation at 34 C.F.R. § 104.35, and information provided by the Complainant. The District shall ensure that the Complainant and/or any other parent/guardian in attendance receives notice of procedural safeguards, as required by the Section 504 implementing regulation at 34 C.F.R. § 104.36.

**Reporting Requirement**

If the Complainant accepts the District's offer to re-enroll the Student, the District shall produce documentation showing that the meeting required by Item 1 occurred **within fifteen (15) days of the Student's re-enrollment**, and that all actions required by Item 1 have been taken. The District's documentation shall include, but not be limited to: meeting minutes that clearly show the special education, related aids and services, or accommodations the group determined as necessary for the Student's receipt of FAPE; copies of all documentation reviewed in the context of making a determination as to the Student's FAPE-related needs; documentation reflecting all meeting attendees; and evidence that the Student's parent/guardian received a notice of procedural safeguards.

2. **By June 17, 2019**, the District shall ensure that the Complainant's parent volunteer rights are restored, as consistent with the District's volunteer requirements.

Reporting Requirement

**By June 24, 2019**, the District shall provide a statement to OCR that it has restored the Complainant's parent volunteer rights and that the Complainant has been notified of the same, in writing.

**Training**

3. **By August 16, 2019**, the District shall provide training to its Superintendent and all administrators and faculty at Lee Elementary School regarding the District's obligations to comply with the Section 504 and Title II provisions prohibiting discrimination on the basis of disability and retaliation or intimidation, and the regulating provisions applicable to the evaluation and placement of students with disabilities and the regulating provisions requiring that the District provide FAPE to each qualified student with a disability within its jurisdiction.

Reporting Requirement

Within thirty (30) days of completing the training referenced in Item 3 above, the District will submit a report to OCR describing the training provided.

The District understands that by signing this Resolution Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Resolution Agreement. Further, the District understands that during the monitoring of the Resolution 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 the Resolution Agreement. Upon the District's satisfaction of the commitments made under the Resolution Agreement, OCR will close the case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the Resolution Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will 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 the signature of the District's representative below.

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Superintendent or Designee (Signature)

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Date

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Superintendent or Designee (Print)