

**Jackson County School District
Resolution Agreement
Complaint #04-19-1382**

The U.S. Department of Education, Office for Civil Rights (OCR), enters into this agreement to resolve the allegation in the above-referenced complaint filed against the Jackson County School District (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. Section 794, *et seq.*, 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. Sections 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. The District agrees to take the following actions:

Limits on Classroom Observation:

1. By **August 30, 2020**, the District will notify the Complainant in writing that she is not limited to one classroom observation per semester. The District may continue to limit the length of an observation to 50 minutes per teacher for each observation as recommended by the District's Observation Memorandum/Guidance so long as that Memorandum is applied equally to all visitors.

Reporting Requirement: By **September 15, 2020**, the District will provide documentation of its notification to the Complainant.

Publication of Observation Memorandum:

2. By **September 30, 2020**, the District will produce its Observation Memorandum to the public on its website and other publications which include policies and procedures produced for parents/guardians.

Reporting Requirement: By **October 15, 2020**, the District will provide documentation of the publications made.

Training:

3. By **October 30, 2020**, the District will provide training for School staff regarding the rights and requirements of Section 504 and Title II to include the prohibitions against retaliation and the District policy regarding classroom observation.

Reporting Requirement: By **November 15, 2020**, the District will produce documentation of training conducted including: the name of the presenter; the date(s) the materials were presented; a copy of the presentation materials utilized and a statement of the District's plan to ensure that presentation materials are made available to any School staff unable to attend the training.

The District understands that by signing this Agreement, it agrees to provide the foregoing 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 regulations implementing Section 504 at 34 C.F.R. § 104.33 and the regulations implementing Title II at 28 C.F.R. § 35.130. 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.

Superintendent or Designee

Date