

Voluntary Resolution Agreement
Estherville Lincoln Central Community School District
OCR Docket #05-19-1220

The U. S. Department of Education, Office for Civil Rights (OCR) and the Estherville Lincoln Central Community School District (District) enter into this agreement to resolve the above-referenced complaint. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District assures OCR that it will take the following actions to comply with the requirements of provisions of Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA), which prohibit discrimination based on disability and retaliation.

1.) By October 1, 2019, the District will provide all District administrators training on its policies prohibiting retaliation against individuals who make a report of discrimination based on disability, or otherwise exercise rights under Section 504 or Title II.

REPORTING REQUIREMENT: By October 15, 2019, the District will submit to OCR documentation demonstrating its compliance with this item, including copies of all training materials used or distributed, and attendance sheets for those attending the training(s).

2) By October 1, 2019, the District's Board President or legal counsel will conduct a review of the investigation into Complainant's retaliation complaint, including review of the findings and underlying notes of interviews, to determine whether any District employee engaged in unlawful retaliation in violation under the District's policies and, if so, take appropriate disciplinary action.

REPORTING REQUIREMENT: By October 15, 2019, the District will submit to OCR documentation demonstrating compliance with this item.

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 the 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 the OCR to determine whether the District has fulfilled the terms of this Agreement. Upon the District's satisfaction of the commitments made under this Agreement, OCR will 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 the specific terms and obligations of this Agreement, OCR will 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