

**Lowndes County School District
OCR Complaint No. 06141493
Voluntary Resolution Agreement**

The Lowndes County School District (LCSD) voluntarily agrees to enter into a Resolution Agreement (RA) in order to resolve the above-referenced complaint. The MISD commits to implement the provisions set forth in this Agreement to ensure the District's compliance with the requirements of Section 504 or the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, as it incorporates by reference Title VI of the Civil Rights of 1964 (Title VI), 42 U.S.C. §§ 2000d et seq., and its implementing regulation at 34 C.F.R. § 100.7(e) and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, both of which prohibit discrimination on the basis of disability. This Agreement is not intended to be, nor shall it be construed as, a finding by OCR of a violation of Section 504 or Title II by the MISD or as an admission by the MISD of a violation of Section 504 or Title II or any other federal civil rights statutes enforced by OCR.

The LCSD understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with Section 504 and Title II. The LCSD 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 this agreement. Further, the LCSD understands that during the monitoring of this agreement, if necessary, OCR may visit the district, interview staff and contract staff, students, or others 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 Section 504 and Title II, which are at issue in this case.

The LCSD 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 LCSD written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

Action Item Number One

By _____, the LCSD will provide training to all staff, administrators, other school personnel and LCSD agents, with regard to the prohibition of retaliatory actions against students and/or parents. The training will include topics regarding the requirements of Section 504 and Title II and examples of retaliatory actions, including actions taken by agents of the LCSD. The training will be conducted by a person or persons knowledgeable about the requirements of Section 504 and Title II with regard to the prohibition of retaliation.

Reporting Requirements

1. By _____, and prior to the training being scheduled and implemented, the LCSD will provide OCR, for review and approval, a copy of the

training module and/or outline of the training topics and materials the LCSD will utilize, the name, title and contact information for the person or persons will conduct the training session or sessions, and a description and/or copy of the notification that the LCSD will use to inform attendees of the mandatory training.

2. By _____, the LCSD will provide OCR with detailed information regarding the training of staff regarding the requirements of Section 504 and Title II, with regard to the prohibition of retaliation. The LCSD will provide OCR with sign in sheets for all training sessions evidencing all staff, administrators, other school personnel and LCSD agents who attended the training, a copy of the training materials used, and the name, title, credentials and contact information for the person or persons providing the training to comply with Action Item Number One.

Action Item Number Two

By _____, and after providing proper written notice to the parent or guardian of the Student, the LCSD will reconvene a meeting to consider placement options for the complainant's daughter, the student. The meeting will consist of a group of persons knowledgeable about the student, including the parent or guardian, consider information from a variety of sources and placement options, and determine an appropriate placement decision for the student. The group of knowledgeable persons will also determine whether the Student needs compensatory and/or remedial services as a result of the District's delay in convening a placement meeting for the Student. The actions taken will be consistent with the requirements of Section 504 and Title II.

Reporting Requirements

1. By _____, the LCSD will provide OCR with documentation to evidence that the meeting was conducted, that pertinent information from a variety of sources was considered and a placement decision was made in accordance with the requirements of Section 504 and Title II.
2. Within 10 school days of the decision as to whether compensatory and/or remedial services are required for the Student, the LCSD will submit to OCR documents supporting the group's decision. The documentation submitted shall include a listing of persons attending the placement meeting, an explanation for all decision made during the meeting, the information considered, and a description of and schedule for providing any compensatory and/or remedial services (if deemed necessary) for the Student. OCR will, prior to approving the LCSD's decision and plan for providing the proposed services, review the documentation to ensure that the LCSD met the procedural requirements of Section 504 and Title II in making these determinations.
3. By _____, the LCSD will provide documentation to OCR to evidence that the compensatory and/or remedial services were provided to the Student. The documentation will include, but not be limited to, a detailed description of the compensatory and/or remedial services provided to the Student, the date, time and setting

the services were provided, the name(s), title(s), credentials and contact information for the person or persons providing the services.

This Resolution Agreement has been entered into voluntarily by the LCSD and does not constitute an admission by the LCSD that it is not in compliance with Section 504 or Title II or their respective implementing regulations.

Signed:

/s/
XXXXX, Superintendent
Lowndes County School District

Date
