

VOLUNTARY RESOLUTION AGREEMENT
South Central Nebraska Unified School District #5
OCR Complaint No. 07221003

To resolve OCR Complaint No. 07221003, South Central Nebraska Unified School District #5 (District), Fairfield, Nebraska, assures the U.S. Department of Education, Office for Civil Rights (OCR), it will take the actions detailed below pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35.

The District agrees to take the following actions:

Action Item 1: By September 1, 2022, the District will disseminate its service animal policy adopted in December 2021, to all District staff.

Reporting Requirement 1: By October 1, 2022, the District will submit evidence demonstrating that the service animal policy adopted in December 2021 was disseminated to all District staff.

Action Item 2: By September 1, 2022, the District will provide training to all District administration, support staff and teachers at the XXXXX XXXXX XXXXXX on the policies, procedures, laws and regulations applicable to individuals with service animals on District property and at District events. Such training will address, at a minimum, (1) the District's general obligations under Section 504 and Title II to grant access to service animals and (2) the contents of the District's service animal policy adopted in December 2021.

Reporting Requirement 2: By October 1, 2022, the District will provide OCR documentation demonstrating its compliance with Action Item 2, including:

- a. the date(s) of the training(s);
- b. a summary of the topics covered during the training(s);
- c. the name and credentials of the trainer(s);
- d. the names and titles of all District staff who attended the training(s); and
- e. a copy of any materials used and/or disseminated during the training(s).

OCR and the District agree the commitments made by the District in this resolution agreement, and the District's actions with respect to those commitments, do not constitute an admission by the District of any violation of Section 504, Title II, the ADA, or the implementing regulations for either statute.

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 this Agreement

and that all actions taken to comply with the requirements of the Agreement are subject to OCR's review and approval. 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 and Title II, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR will close this case. The District understands that OCR will not close the monitoring of the Agreement until OCR determines that the District has demonstrated compliance with all the terms of the Agreement and is in compliance with Section 504 and Title II, and their implementing regulations, which were at issue in this complaint.

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.

04/07/2022
Date

XXXXXXXX X XXXXX
XXXXXXXXXXXXXXXXXX,
South Central Nebraska U.S.D. #5