



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

61 Forsyth St., Suite 19T10
ATLANTA, GA 30303

REGION IV
ALABAMA
FLORIDA
GEORGIA
TENNESSEE

**RESOLUTION AGREEMENT
MAURY COUNTY SCHOOL DISTRICT
OCR Docket Number 04-15-1130**

The Maury County School District (District) submits to the U.S. Department of Education, Office for Civil Rights (OCR), this Resolution Agreement (Agreement), pursuant to Section 302 of the Case Processing Manual, to voluntarily resolve 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), as amended, 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35. Accordingly, the District voluntarily agrees to take the following actions.

Action Item 1

By September 12, 2016, after providing proper written notice to the Student's parents, a group of knowledgeable persons, including the Student's parents, will convene a Section 504 meeting to determine whether the Student requires compensatory and/or remedial services for the period beginning September 8, 2014, and ending September 24, 2014. If so, within 1 week of its determination, the group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond December 1, 2016. The District will provide the Student's parents notice of the procedural safeguards including the right to challenge the group's determination through an impartial due process hearing.

Reporting Requirements:

- a. By September 12, 2016, the District will provide supporting documentation showing the group's decision as to whether compensatory and/or remedial services are needed. The documentation submitted shall include documentation showing the participants in the meeting, an explanation for the decisions made, the information considered, and a description of and schedule for providing any compensatory and/or remedial services (if any) to the Student. OCR will, prior to approving the District's decision and plan for providing the proposed services, review the documentation to ensure that the District met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, in making these determinations.
- b. By December 1, 2016, the District will provide OCR documentation of the dates, times and locations that compensatory and/or remedial services were provided, a description of what was provided, and the name(s) of the service provider(s).

Action Item 2

By September 12, 2016, the District will revise the Homebound Instructions (Section 4.207 of the District's Handbook), to specify that placement in the homebound program for students eligible for Section 504 services, including, but not limited to, the services, service providers and duration of placement, must be an individualized decision determined by the appropriate Section 504 team.

Reporting Requirements:

- a. By September 12, 2016, the District will submit to OCR a copy of the revised Homebound Instructions for OCR's review and approval; and
- b. By December 1, 2016, or within 30 days of OCR's approval of the revised Homebound Instructions, the District will publish the revised Homebound Instructions and provide evidence of notification to parents, faculty and staff of the revised instructions.

Action Item 3

By January 31, 2017, the District will provide training to faculty and staff responsible for implementing the requirements of Section 504 and the District's Homebound Program on the revised Homebound Instructions.

Reporting Requirements:

By January 31, 2017, the District will provide documentation to OCR demonstrating that its faculty and staff have completed the training pursuant to Item 3 above. The documentation shall include, at a minimum, the date of the training session, the staff who attended the training session, a description of the presenter's background and qualifications, and a copy of the agenda and the training materials disseminated.

Action Item 4

By May 31, 2017, the District will provide documentation to OCR reflecting every request received by the District, during the 2016-17 school year, for homebound services for students with Section 504 plans and the District's response to the same.

Reporting Requirements:

By May 31, 2017, the District will provide documentation to OCR in accordance with Item 4 above. The documentation shall include, but is not limited to, copies of applications for homebound services for students with Section 504 plans and minutes from the Section 504 team meetings determining the homebound services and service providers for these students.

Action Item 5

By May 31, 2017, the District will provide documentation to OCR reflecting every complaint received by the District, during the 2016-17 school year, regarding the approval and/or administration of homebound services for students with Section 504 plans.

Reporting Requirements:

By May 31, 2017, the District will provide documentation to OCR in accordance with Item 5 above. The

documentation shall include copies of the complaints received and the District's response to the same.

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. 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 Title II at 28 C.F.R. § 35.130.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that 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 Title II at 28 C.F.R. § 35.130.

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 Resolution Agreement will become effective immediately upon signature of the District's Superintendent or designee below.

/ s /

August 30, 2016

Director of Schools or Designee
Maury County School District

Date