

**Resolution Agreement
Broward County School District
OCR Complaint No. 04-15-1317**

The Broward County School District (District) agrees to resolve the allegation of discrimination on the basis of disability contained in complaint number 04-15-1317, filed with the U.S. Department of Education, Office for Civil Rights (OCR). The District submits this Resolution Agreement (Agreement) to ensure compliance with the requirements of Section 504 and Title II and their implementing regulations at 34 C.F.R. Part 104 and 28 C.F.R. Part 35. The District voluntarily agrees to take the actions below.

Student Remedy

1. By **December 1, 2015**, the District will conduct meetings at each Exceptional Student Education (ESE) Center and each regular education school with self-contained ESE classes that did not participate with the rest of their general education school, in the First Move Chess Program, during the 2014-15 school year. The meeting will include persons knowledgeable about the program and knowledgeable about the ESE students in the ESE center classes and the self-contained classes in the regular education schools, to include the ESE director and ESE classroom teachers. The purpose of the meeting will be to determine if ESE-only classes can participate as a class in the program with related aids and services. If the determination is made that ESE students in an ESE center class or in a self-contained class can participate in the First Move Chess Program, it will be offered to those classes in the centers or to the self-contained classes in the regular education schools.

REPORTING REQUIREMENT: By **January 10, 2015**, the District will provide documentation to OCR showing:

- (a) documentation of the information considered with regard to each non-participating ESE-only classroom, including those at the ESE centers;
- (b) documentation of what staff, persons knowledgeable about the students in each class made the decision and what they determined; and
- (c) documentation of any related aids and services that were deemed necessary, as appropriate.

Training

2. By **January 30, 2016**, the District will initiate annual Section 504 training for staff involved with designing, rolling out and implementing Districtwide activities or programs in a manner which enables students with disabilities to benefit as adequately as students without disabilities.

REPORTING REQUIREMENT: By **February 20, 2016**, the District will provide documentation to OCR demonstrating that the District initiated annual training pursuant to **Item #2** above. The documentation shall include: (1) the date of the training session(s); (2) a list of the names and titles of the District

employees who participated in the training session; (3) a description of the presenter’s background and qualifications; (4) a copy of the agenda and/or the training materials disseminated; and (5) certification that the materials were provided to any staff unable to attend training due to an emergency or excused absence.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the District understands that during the monitoring of this Agreement, 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 Section 504 and its implementing regulation at 34 C.F.R. § 104.4, and Title II and its implementing regulation at 28 C.F.R. § 35.130 which were at issue in this complaint.

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 compliance with Section 504 and its implementing regulation at 34 C.F.R. § 104.4, and Title II and its implementing regulation 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.

Superintendent or Designee

Date