

**Resolution Agreement
Pasco County School District (Florida)
Complaint # 04-19-1348**

The U.S. Department of Education (Department), Office for Civil Rights (OCR), and Pasco County School District (District) enter into this Resolution Agreement (Agreement) to resolve an allegation in the above-referenced complaint. The District assures OCR that it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance from the Department; and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, and its implementing regulation at 28 C.F.R. Part, which prohibit discrimination on the basis of disability by public entities.

Prior to the completion of OCR's investigation, the District agreed to resolve an issue of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to ensure compliance with Section 504 and Title II and their implementing regulations and to resolve an issue of this investigation, the District voluntarily agrees to the following actions.

Student Focused Remedy

Item 1:

By **December 6, 2019**, after providing written notice to the Student's parent(s), the District will convene a Section 504 (504) meeting including the Student's parent(s), to discuss whether the Student needs compensatory and/or remedial services as a result of the failure to provide the Student with auditory presentation, extra time, and frequent breaks on the quarterly assessments (English Language Arts, Math, and Science) administered in December 2018 and March 2019 and the Florida Standards Assessment (FSA) administered on April 3, 2019 (Reading). If the 504 team determines the Student needs such services, the team will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond **March 1, 2020**. The District will provide the Student's parent(s) with notice of the procedural safeguards, including the right to challenge the team's determination through an impartial due process hearing.

Reporting Requirement:

- a) By **December 18, 2019**, the District will submit to OCR a copy of the meeting minutes or similar documentation from the Section 504 meeting, including an explanation for decisions made, a description of and schedule for providing compensatory and/or remedial services (if any) to the Student, the notice of procedural safeguards, the written invitation to the Student's parent(s), and a list of meeting attendees.
- b) By **December 18, 2019**, the District will provide the Student's parent(s) with written notice of the outcome of the meeting, including an explanation for decisions made and a description of and schedule for providing compensatory and/or remedial services (if any) to the Student. The District will provide a copy of this written notice to OCR.

- c) If the District determined compensatory and/or remedial services were necessary, the District will provide documentation to OCR by **March 16, 2020**, 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).

Training

Item2:

By **February 17, 2020**, the District will identify and provide training to Schrader Elementary School (School) staff members responsible for distributing and implementing the Student's Section 504 plans, including test proctors and send a memorandum to School staff members responsible for distributing and implementing other students' 504 plans, including test proctors. The training and memorandum will address the implementation of students' Section 504 plans (including during testing and assessments) consistent with Section 504 and Title II legal standards.

Reporting Requirement:

- a) By **March 13, 2020**, the District will provide OCR with a written report confirming the completion of training specified in Item 2. The documentation shall include: (1) the name, background, and qualifications of the presenter(s)/trainer(s); (2) a copy of the transcript(s)/materials used for the training; (3) a list of the participants' names and titles who completed the training; and (4) a copy of the memorandum sent to staff members.

The District understands that by signing the resolution agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the District understands that during the monitoring of the resolution 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 and obligations of the resolution agreement. Upon the District's satisfaction of the commitments made under the resolution agreement, OCR will close the case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the resolution agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The resolution agreement will become effective immediately upon the signature of the Superintendent or his/her Designee below.

District Superintendent
or Designee

Date

Printed Name and Title, if signed by Designee