

**Resolution Agreement  
Pasco County School District (Florida)  
Complaint # 04-19-1386**

The U.S. Department of Education, Office for Civil Rights (OCR), and Pasco County School District (District) enter into this Resolution Agreement (Agreement) to resolve the 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 U.S. Department of Education (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.

Pursuant to Section 303(b) of OCR's Case Processing Manual, to ensure compliance with Section 504 and Title II and their implementing regulations and to resolve the issues of this investigation, the District agrees to implement the following corrective actions.

**Student Focused Remedy:**

**Item 1:**

By **November 1, 2019**, after providing written notice to the Student's Complainant/Parent, the District will convene an Individualized Education Plan (IEP) meeting including the Complainant/Parent, to discuss whether the Student needs compensatory and/or remedial services as a result of the failure to provide the read aloud accommodation on the May 2019 Florida Standards Assessment – English Language Arts (FSA ELA) portion. If the IEP 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 Complainant/Parent 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 **November 15, 2019**, the District will submit to OCR a copy of the meeting minutes or similar documentation from the 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 Complainant/Parent, and a list of meeting attendees.
- b) By **November 20, 2019**, the District will provide the Student's Complainant/Parent 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).

**Item 2:**

By **December 1, 2019**, the District will obtain and provide evidence to the Complainant/Parent that the Student's spring 2019 FSA ELA score is not reported in the District's Student Reporting System (System) and that the District has not retained any record of the Student's participation in the spring 2019 FSA ELA assessment. If the Student's 2019 FSA ELA score has been reported in the System, the District will take the appropriate steps to ensure that it is removed.

**Reporting Requirement:**

By **January 30, 2020**, the District will provide OCR with documentation demonstrating evidence that the Student's spring 2019 FSA ELA score is currently not reported in the System or if currently reported, evidence that the District has removed and not retained any record of the Student's participation in the spring 2019 FSA ELA assessment.

**Training:**

**Item 3:**

By **February 15, 2020**, the District will identify and provide training to School staff members responsible for administering the Student's spring 2019 FSA ELA test regarding the implementation of students' IEP and Section 504 plan accommodations consistent with Section 504 and Title II legal standards.

**Reporting Requirement:**

By **March 1, 2020**, the District will provide OCR with a written report confirming the completion of training specified in Item 3. 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; and (3) a list of the participants' names and titles who completed the training.

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 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.

\_\_\_\_\_  
District Superintendent  
or Designee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name and Title, if signed by Designee