

**RESOLUTION AGREEMENT**  
**Hillsborough County Public Schools (Florida)**  
**Complaint Number 04-19-1563**

The U.S. Department of Education, Office for Civil Rights (OCR) and the Hillsborough County Public Schools (District) enter into this Resolution Agreement (Agreement) to resolve the allegations of discrimination on the basis of disability contained in the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance or wrongdoing by the District. The District submits to this Agreement to ensure compliance with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulations, at 34 C.F.R. Part 104, which applies to entities that receive Federal financial assistance; and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12131, *et seq.*, and its implementing regulations, at 28 C.F.R. Part 35, which applies to public entities.

Prior to the completion of OCR's investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to ensure compliance with Section 504 and Title II and resolve the issues in Complaint #04-19-1563, the District agrees to take the following actions:

**TRAINING(S)**

1. (a) By \_\_\_\_\_, the District will initiate training for administrators, faculty and staff at the School regarding the provision of a free appropriate public education to students with disabilities pursuant to Section 504 and Title II. The training shall be conducted by qualified persons who can demonstrate knowledge of the requirements of Section 504 and Title II to ensure free appropriate public education. The training will specifically include the process governing the continuous provision of services to students with disabilities who receive services pursuant to an Individualized Education Program or Section 504 plan (Plans).
- (b) By \_\_\_\_\_, the District will initiate training for administrators, faculty and staff at the School regarding disability harassment pursuant to Section 504 and Title II. The training will include examples of the types of conduct (e.g., physical, verbal, graphic, or written) which may create a hostile environment based on disability, cover the District's obligation to eliminate a hostile environment of which it has notice, including constructive notice based upon involvement of an employee in creating the hostile environment; and the obligation of faculty and staff to report any incidents of harassment under the listed statutes to appropriate administrators. Training of administrators, faculty and staff will also provide instruction on how to recognize, prevent and respond appropriately to such harassment, and will also reiterate the District's obligation not to engage in retaliation

against any individual for engaging in a protected activity that includes alleging discrimination.

**REPORTING REQUIREMENT:** By \_\_\_\_\_, the District will provide OCR with a report confirming the completion of the trainings, including: (a) the background and qualifications of the presenter(s)/trainer(s); (b) a copy of the transcript(s)/materials used for the training; and (c) a sign in log with name and title of all administrators, faculty and staff who completed the training(s).

## **INDIVIDUAL STUDENT RELIEF**

### **Counseling**

2. The District will submit a letter of offer to the Complainant for the provision of counseling to the Student, not to exceed one calendar year from the date of this Agreement, unless agreed upon by the parties.

**REPORTING REQUIREMENT:** By \_\_\_\_\_, the District will provide OCR evidence that the offer was made to the Complainant and will include any response to the offer from the Complainant. If the provision of counseling was agreed-upon by both parties, the District shall submit an anticipated schedule for the provision of counseling to the Student.

The District understands that by signing this Agreement, it agrees to provide the foregoing 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 34 C.F.R. §§ 104.4(a) and 104.33, and 28 C.F.R. § 35.130. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

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 representative below.

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District Representative

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Date

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Printed Name and Title