

RESOLUTION AGREEMENT
Education Service Center Region XIV
OCR Complaint Number 06134056

The Education Service Center Region XIV (ESC), Abilene, Texas voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. The ESC commits to taking the following actions to ensure that 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, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12132, and its implementing regulations, at 28 C.F.R. Part 35, are met with regard to the allegation presented in the above-referenced complaint. This Agreement is entered into in good faith and in no way constitutes an admission by the ESC that it discriminated or otherwise committed any error, omission, or wrongdoing with respect to the alleged violations in the subject complaint.

ACTION ITEM:

1. By **April 1, 2014**, The ESC will create, or appropriately modify existing, policy(ies)/procedure(s) for procuring facilities for sponsored regional events (e.g., training, conferences, meetings etc.) that ensure said rented or leased facilities are accessible to and useable by persons with disabilities (including mobility impairment), in accordance with Section 504, at 34 C.F.R. § 104.4 (b), and Title II, at 28 C.F.R. § 35.130 (b).

REPORTING REQUIREMENT:

- By **May1, 2014**, the ESC will provide to OCR a copy of its policy(ies)/procedure(s), created or modified in accordance with Action Item 1.
2. By **June 1, 2013**, The ESC will notify pertinent staff of the new policy(ies)/procedure(s). In addition, the ESC will conspicuously post copies of the same where accessible to pertinent staff. All methods of notice will be accompanied by a memo that will address: 1) The ESC's policy(ies)/procedure(s) on procuring accessible facilities for sponsored regional events; and 2) The name (or position title), office address and telephone number of the individual designated to coordinate sponsored regional events and ensure venue accessibility.

REPORTING REQUIREMENT:

- By **July1, 2014**, the ESC will provide to OCR documentation evincing notice to staff of its new or revised policy(ies)/procedure(s) for procuring facilities and third-party venues for hosting ESC regional events that are accessible to and useable by persons with disabilities (e.g., mobility impairment).

The ESC understands that OCR will not close the monitoring of this Agreement until OCR determines that the recipient has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II, which were at issue in this case.

The ESC 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 ESC understands that during the monitoring of this Agreement, if necessary, OCR may visit the ESC, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the ESC has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. Part 104, and Title II, at 28 C.F.R. Part 35, which were at issue in this case.

The ESC finally 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 ESC written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Superintendent or District Representative

Date

Printed Name and Title: _____