

Resolution Agreement
Dallas Independent School District
OCR Complaint No. 06141297

The Dallas Independent School District (DISD) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, in resolution of the disability discrimination allegation in complaint number 06141297. The DISD commits to take the actions set forth below to ensure that the DISD's programs comply with 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, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12132, and its implementing regulation, at 28 C.F.R. Part 35.

This Agreement is entered into in good faith and in no way constitutes an admission by the DISD that it discriminated or otherwise committed any error, omission, or wrongdoing with respect to the alleged violations in the subject complaint. The DISD hereby voluntarily commits to the following:

A. INDIVIDUAL STUDENT RELIEF

By September 15, 2014, the complainant's daughter's (Student) Section 504 committee will evaluate her to determine if dyslexia service is needed as a result of non receipt of scheduled services from January – April 2014 as indicated in her 504 plan. The Section 504 committee will determine the scope and duration of dyslexia services, if warranted, to be provided to the Student by the DISD.

REPORTING REQUIREMENT

By September 30, 2014, the DISD will provide OCR with information indicating that an evaluation was conducted by the Student's Section 504 committee and will provide to OCR the recommendations that were made regarding dyslexia services.

B. TRAINING AND PROFESSIONAL DEVELOPMENT

By September 15, 2014, the DISD will provide training to all Turner Elementary School Section 504/Title II coordinators, Special Education administrators, faculty and staff regarding its obligations, pursuant to Section 504 and Title II, to provide a free appropriate public education to all qualified students with disabilities residing within its jurisdiction. The training will be conducted by individual(s) knowledgeable about the laws and issues pertaining to disability discrimination, the evaluation and placement of students who are or are believed to be disabled, and the provision of FAPE to students pursuant to Section 504. The training shall address, at a minimum:

- a. The DIDS’s obligations to identify and evaluate all students within its jurisdiction who, because of disability, need or are believed to need regular or special education or related aids and services;
- b. The DISD’s obligation to provide students services that are identified in their Individualized Education Plans or Section 504 Plans; and
- c. The DISD’s internal policies and procedures for carrying out its responsibilities under Section 504 and Title II.

REPORTING REQUIREMENT

By December 15, 2014, the DISD will provide OCR with a report regarding the training actions that it has taken pursuant to Section B of this Agreement. The report will include the dates of the trainings, a list of the attendees (including their names and titles), a description of the trainings, copies of the training materials, and the qualifications of the presenters (including their names, titles, and contact information).

The DISD understands that OCR will not close the monitoring of this Agreement until OCR determines that the DISD 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 DISD 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 DISD understands that during the monitoring of this Agreement, if necessary, OCR may visit the DISD, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the DISD 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 DISD 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 DISD 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