

Resolution Agreement
Austin Independent School District
OCR Complaint No. 06141390

The Austin Independent School District (AISD) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. By this Agreement, the AISD commits to the following actions, consistent with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794 (amended 1992), 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. The AISD is committed to complying fully with Section 504 and Title II, and, accordingly, it has voluntarily agreed to take the steps outlined in this Agreement. This Agreement does not constitute an admission by the AISD that it discriminated or otherwise engaged in any wrongdoing. The AISD hereby voluntarily commits to the following:

ACTION ITEM 1: Training

- 1.1 The AISD will provide mandatory training to all XXXX XXXX School (XXS) administrators, teachers, teaching assistants, and counselors regarding the following:
- (a) All AISD policies and procedures regarding student injuries and accidents, and the applicability of such policies to students with disabilities, including students who engage in self-injurious behavior;
 - (b) The AISD's obligations regarding, and policies and procedures governing or otherwise addressing, the prohibition against retaliating (e.g., intimidating, threatening, coercing) or discriminating against any individual for the purpose of interfering with any right or privilege secured by Section 504 or Title II, or because said individual has made a complaint, testified, assisted, or participated in any manner in an OCR complaint resolution process, pursuant to 34 C.F.R. § 104.61, and 28 C.F.R. § 35.134;
 - (c) All AISD policies and procedures regarding the responsibility and appropriateness of making reports of suspected neglect or abuse to the Texas Department of Family and Protective Services, Child Protective Services (CPS).

REPORTING REQUIREMENTS:

- 1.2 By May 20, 2015, the AISD will submit to OCR for review and approval, its proposal for complying with Action Item 1. Specifically, the AISD will provide to OCR the name(s) and credentials of the individual(s) who it proposes conduct the training session(s), and copies of the proposed materials the AISD intends to use at the training session(s).
- 1.3 Within 45 calendar days of OCR's approval of the individual(s) and materials referenced in paragraph 1.2 or by September 25, 2015, whichever date is later, the AISD will provide the training described in Action Item 1.

- 1.4 Within 10 calendar days of the completion of the training referenced in paragraph 1.3, the AISD will provide OCR with documentation demonstrating that it has timely completed Action Item 1. Specifically, the AISD will provide to OCR the names of all individuals who attended the training session(s) provided pursuant to Action Item 1, the date(s) and time(s) the training session(s) occurred, the name(s) and credentials of the individual(s) who conducted the training session(s), and copies of the materials disseminated at the training session(s).

The AISD understands that OCR will not close the monitoring of this Agreement until OCR determines that it has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title VI, Section 504, and Title II.

The AISD understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements contained herein. Further, the AISD understands that during the monitoring of this Agreement, if necessary, OCR may visit the AISD, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the AISD has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title VI, Section 504, and Title II.

The AISD further 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 AISD written notice of the alleged breach and a minimum of 60 calendar days to cure the alleged breach.

Dr. Paul Cruz, Superintendent
Austin Independent School District

Date