

RESOLUTION AGREEMENT

**Beaumont Independent School District
OCR Case Number: 06141497**

The Beaumont Independent School District (BISD or District) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. By this Agreement, the BISD 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, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131 et seq., and their respective implementing regulations, to resolve the allegation raised in the above-referenced complaint. The BISD understands that OCR will not close the monitoring of this Agreement until OCR determines that the BISD has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. § 104.33, and Title II, at 28 C.F.R. § 35.130. The BISD 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 BISD understands that during the monitoring of this Agreement, if necessary, OCR may visit the BISD, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the BISD has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. § 104.33, and Title II, at 28 C.F.R. § 35.130, which were at issue in this case. The BISD 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 BISD written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach. This Agreement does not constitute an admission by the BISD that it discriminated or otherwise engaged in any wrongdoing. The BISD hereby voluntarily commits to the following:

ACTION ITEM

1. By August 27, 2014, the BISD will promote XXXX XXXX (Student) to the 9th grade. The BISD will not force the Student to attend any school outside of the BISD's general school attendance zones, nor will the BISD impose any other restrictions or requirements on the Student as a result of this promotion to the 9th grade.

REPORTING REQUIREMENT

1. By September 15, 2014, the BISD will provide to OCR copies of all documentation regarding the implementation of Action Item 1, including, but not limited to, notice(s) to the Complainant about the Student's promotion, a copy of the Student's high school enrollment record, and any other documentation applicable to demonstrate the BISD's compliance with this Agreement.

Dr. Shirley Bonton
Assistant Superintendent/Chief of Academics
Beaumont Independent School District

Date