



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

1999 BRYAN ST., SUITE 1620
DALLAS, TX 75201-6810

REGION VI
ARKANSAS
LOUISIANA
MISSISSIPPI
TEXAS

**Lago Vista Independent School District
OCR Complaint No. 06141627
Voluntary Resolution Agreement**

The Lago Vista Independent School District (LVISD) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. LVISD commits to the following actions to resolve the current complaint and ensure its compliance 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 (2014); 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 (2014) which prohibit discrimination on the basis of disability.

The LVISD understands that OCR will not close the monitoring of this Agreement until OCR determines that the recipient has fulfilled the terms of this Agreement in compliance with Section 504 and its implementing regulation at 34 C.F.R. Part 104 and Title II and its implementing regulation at 28 C.F.R. Part 35.

The LVISD 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 LVISD understands that during the monitoring of this Agreement, OCR may visit the LVISD, interview staff and students, or others 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 Section 504 and its implementing regulation at 34 C.F.R. Part 104 and Title II and its implementing regulation at 28 C.F.R. Part 35, which are at issue in this case.

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

Student Remedies:

Action Item #1

- A) By September 30, 2015, the LVISD notify the complainant by certified mail of its offer to allow the Student an opportunity to craft a new clay pottery art project prior to the conclusion of the 2015-2016 school year.
- B) By October 15, 2015, if the complainant accepts the LVISD's offer described above, the LVISD will schedule a mutually agreeable schedule with the complainant for the

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Student to complete a new clay pottery art project prior to the conclusion of the 2015-2016 school year.

Reporting Requirements for Action Item #1

By October 30, 2015, the LVISD will provide OCR documentation to demonstrate that Action Item #1 (A) and (B) have been fulfilled.

Action Item #2

By September 30, 2015, the principal at Lago Vista Middle School (LVMS) will issue the Student's parent(s) a written apology regarding the LVMS's failure to include the Student's individual portrait in the 2013-2014 annual school yearbook.

Reporting Requirement for Action Item #2:

By October 30, 2015, the LVISD will provide OCR documentation to demonstrate that Action Item #2 has been fulfilled.

Yearbook Remedies:

Action Item #3

- A) By September 30, 2015, the LVISD will establish and identify five staff members at Lago Vista Middle School to make up an annual yearbook committee, to include the Student's special education teacher, who will be responsible to develop the school's annual yearbook in order to ensure that all students' and teachers' individual portraits are included in the LVMS's annual yearbook.
- B) By October 15, 2015, the LVISD will annually include on its district website information regarding the names of the five staff members identified to make up the annual yearbook committee

Reporting Requirements for Action Item #3

1. By October 30, 2015, the LVISD will provide OCR documentation of the establishment of the annual yearbook committee to include the reason(s) for the selection of each committee member chosen, as required in Action Item 3A.
2. By October 30, 2015, the LVISD will provide OCR documentation to demonstrate that the requirement of Action Items #3B has been fulfilled.

Training Remedy:

Action Item #4

A) By November 30, 2015, the LVISD will provide the annual yearbook committee, to include the teacher responsible for the 2013-2014 yearbook, training regarding the Section 504/Title II regulations that prohibit retaliation and the LVISD’s obligation to prevent retaliation by its employees.

Reporting Requirements for Action Item #4

1. By September 30, 2015 and prior to the training, the LVISD will provide OCR, for review and approval, a copy of the materials that the LVISD will utilize, the name, credentials and contact information for the person(s) who will conduct the training and a description and/or copy of the notification that the LVISD will use to inform attendees of the mandatory training.
2. By December 4, 2015, the LVISD will provide OCR with sign in sheets of the retaliation training conducted for the yearbook committee members evidencing that each committee member attended the training, the date the training was provided, a copy of the training materials used, and information about how materials were distributed to each yearbook committee member.

Signed: _____ Date _____
Mr. Darren Webb, Superintendent
Lago Vista Independent School District