

**RESOLUTION AGREEMENT**  
**Responsive Education Solutions**  
**OCR Complaint No. 06151203**

Responsive Education Solutions (RES) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. By this Agreement, RES commits to the following actions to ensure that it has achieved compliance 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. § 12132, and their respective implementing regulations, with regard to the above-referenced complaint.

RES 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, at 34 C.F.R. § 104.4 and 28 C.F.R. § 35.130, respectively.

RES 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, RES understands that during the monitoring of this Agreement, if necessary, OCR may visit RES, interview staff and contract staff, students, or others and request such additional reports or data as are necessary for OCR to determine whether RES has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II, at 34 C.F.R. § 104.4 and 28 C.F.R. § 35.130, respectively, which are at issue in this case.

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

By the following dates, RES will complete the following actions:

**RES PERSONNEL TRAINING:**

**ACTION ITEM #1**

- I. By May 1, 2016, RES will provide its Section 504/Title II Coordinator, all administrators at Quest Middle School of Lewisville (the School), and all other relevant staff with specialized training by an independent party knowledgeable about RES's legal obligations and responsibilities regarding Section 504/Title II complaints, grievance procedures and processes. The training will include guidance clarifying that a student cannot be excluded from attending the School for failure to provide an Asthma Action Plan signed by the student's physician.

**Reporting Requirements for ACTION ITEM #1:**

- A) By April 10, 2016, RES will submit to OCR for review and approval its proposal for complying with Action Item #1(I). Specifically, RES will provide to OCR the name(s) and credentials of the individual(s) who it proposes to conduct the training session(s), and copies of the proposed materials RES intends to use at the training session(s).
- B) By April 10, 2016, following OCR's approval of the individual(s) and materials referenced in Reporting Requirement A, RES will provide the training listed in Action Item #1(I).
- C) By June 10, 2016, RES will provide OCR with documentation demonstrating that it has timely and effectively completed Action Item #1(I) above. Specifically, RES will provide to OCR the names of all individuals who attended the training session(s) provided pursuant to Section 504/Title II, 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).

**ACTION ITEM #2: INDIVIDUAL STUDENT**

- I. By May 1, 2016, after providing proper written notice to the complainant, the School will convene a group of knowledgeable persons, including the complainant, to determine whether the Student needs compensatory/remedial services as a result of the failure of RES to provide her appropriate regular and/or special education services, during the 2014-2015 school year. If the group determines that the Student needs compensatory/remedial services, within one week of its determination, the group will develop a plan for providing timely compensatory and/or remedial services to the Student with a completion date not to extend beyond June 2016, should the Student return to the School for the remainder of the 2015-2016 school year. RES will provide the complainant notice of the procedural safeguards, including the right to challenge the group's determination through a due process hearing.

**Reporting Requirements for ACTION ITEM #2:**

- A) Within 2 weeks of the decision as to whether compensatory and/or remedial services are needed, RES will submit to OCR documents supporting the group's decision. The documentation submitted shall include documentation showing the participants in the meeting, an explanation for decisions made, the information considered, and a description of and schedule for providing any compensatory and/or remedial services (if any) to the Student, should she return to the School for the 2015-2016 school year. OCR will, prior to approving the decision

of RES and plan for providing the proposed services, review the documentation to ensure that RES met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, in making these determinations.

- B) By June 10, 2016, should the Student return to the School for the 2015-2016 school year, RES will provide documentation to OCR of the dates, times and locations that compensatory and/or remedial services were provided, a description of what was provided, and the name(s) of the service provider(s).

\_\_\_\_\_/s/\_\_\_\_\_  
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XXXXXXXX  
Responsive Education Solutions

\_\_\_\_\_3-21-16\_\_\_\_\_  
Date

\_\_\_\_\_/s/\_\_\_\_\_  
XXXXXXXX  
XXXXXXXX  
Special Education, Dyslexia, & Section 504 Services  
Responsive Education Solutions

\_\_\_\_\_3-21-16\_\_\_\_\_  
Date

\_\_\_\_\_/s/\_\_\_\_\_  
XXXXXXXX  
General Counsel  
Responsive Education Solutions

\_\_\_\_\_3-21-16\_\_\_\_\_  
Date