

**Resolution Agreement**  
**Harmony Public Schools**  
**OCR Complaint No. 06151214**

Harmony Public Schools (HPS) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office. By this Agreement, HPS 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 its implementing regulations 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 regulations at 28 C.F.R. Part 35, to resolve the compliance concerns identified through OCR's investigation of the above-referenced complaint. HPS hereby voluntarily commits to the following:

**ACTION ITEM 1: Training/Education**

- 1.1 By February 22, 2016, HPS will develop and submit to OCR for review and approval proposed campus-wide training regarding its obligation under Section 504 to provide a free appropriate public education (FAPE) to all qualified students with disabilities. The proposed training must be provided to all relevant personnel, including, but not limited to, school administrators, faculty, and counselors. The training will be conducted by individuals knowledgeable about the laws and issues pertaining to disability discrimination. The training shall address, at a minimum:
- (a) HPS's policies and procedures for carrying out its responsibilities under Section 504 to provide a FAPE to each qualified disabled person in the district, regardless of the nature or severity of the person's disability; and
  - (b) HPS staff members' obligation to fully implement any individualized education program (IEP) or Section 504 Plan that has been developed for a qualified student with a disability.

**REPORTING REQUIREMENT:**

- 1.2 By February 22, 2016, HPS will provide OCR the proposed training materials to be used or distributed during the training, including any speaker's notes, and the name, title, and qualifications of the trainer(s).

**ACTION ITEM 2: Training/Education**

- 2.1 Within 30 calendar days of OCR's written notification that the proposed training complies with the requirements of Section 504, Title II, and this Agreement, HPS will conduct the training for all relevant personnel, including, but not limited to, school administrators, faculty, and counselors.

**REPORTING REQUIREMENT:**

- 2.2 By April 15, 2016, HPS will provide documentation to OCR evidencing that the training required by Action Item 2.1 has been completed, including the date, time, and location of the training, the topics addressed at the training program, the identity of the individual(s) who conducted the training and the individual(s)' qualifications, along with a copy of the materials or a summary of the material covered in such training and sign-in sheet(s) or other documentation showing who attended the training.

**ACTION ITEM 3: Student Remedies**

- 3.1 By February 5, 2016, HPS will provide the complainant with a written offer to convene a placement meeting (i.e., Section 504 committee meeting) regarding the Student, to determine whether the Student must be provided any compensatory education or related aids and services resulting from HPS's failure to implement his Section 504 Plan during the 2014-2015 school year, and to determine tutoring expenses incurred by the complainant during the 2014-2015 school year, resulting from HPS's failure to implement his Section 504 Plan.
- 3.2 By March 11, 2016, the District will reimburse the complainant for the relevant tutoring costs she incurred during the 2014-2015 school year, as determined under Action Item 3.1 above.

**REPORTING REQUIREMENTS:**

- 3.3 Within two weeks of the decision as to whether compensatory and/or remedial services are needed and the determination of reimbursement, HPS 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. OCR will, prior to approving HPS's decision and plan for providing the proposed services, review the documentation to ensure that HPS met the procedural requirements of the regulations implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, in making these determinations.
- 3.4 If compensatory and/or remedial services are determined necessary under Action Item 3.1 above, by \_\_\_\_\_, HPS 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). By \_\_\_\_\_, the HPS will also provide documentation that the Complainant was reimbursed for relevant tutoring expenses as determined under Action Item 3.1 above.

HPS understands that OCR will not close the monitoring of this Agreement until OCR determines that HPS 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. § 104.33, and 28 C.F.R. §

35.130, respectively, which were at issue in this case. HPS 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, HPS understands that during the monitoring of this Agreement, if necessary, OCR may visit HPS, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether HPS 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. § 104.33, and 28 C.F.R. § 35.130, respectively, which were at issue in this case. HPS 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 HPS written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

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Zekeriya Yuksel, Superintendent  
Harmony Public Schools

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Date

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Printed Name and Title