

**RESOLUTION AGREEMENT**  
**Harmony Public Schools (HPS): Harmony School of Achievement (HSA)**  
**OCR Docket #06-16-1036**

The HPS voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. By this Agreement, the 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 Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12132, and their respective implementing regulations, to resolve the compliance concerns raised by the complainant's allegations. The HPS understands that OCR will not close the monitoring of this Agreement until OCR determines that the 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 104.36, and 28 C.F.R. § 35.130, respectively, which were at issue in this case. This Agreement does not constitute an admission by the HPS that it discriminated or otherwise engaged in any wrongdoing. The HPS hereby voluntarily commits to the following:

**ACTION ITEM 1: SECTION 504 PROCEDURES:**

- 1.1 The HPS will review and revise the HSA's Dual Credit Program Enrollment Procedures for Students with Disabilities (SWDs) to specifically state that the HSA will take actions to assist SWDs with the process for requesting academic adjustments in dual credit courses taken at post-secondary institutions (e.g., assist SWDs in identifying the colleges' processes, coordinate with colleges' disability services offices, etc.).
- 1.2 The HPS's HSA will review and revise its SAT Accommodations procedures to include a process for parents/guardians of SWDs to initiate requests for accommodations for the SAT (and other College Board tests, as appropriate) and to track the receipt of such requests.
- 1.3 At least once per school year,<sup>1</sup> the HPS's HSA will provide notice to parents/guardians of SWDs of the procedure to initiate requests for accommodations for the SAT (and other College Board tests, as appropriate).

***REPORTING REQUIREMENTS: ACTION ITEM #1***

- 1.1 By **April 30, 2016**, the HPS will submit to OCR, for its review and approval, a copy of the above procedures and notice it has developed and/or revised pursuant to Action Items 1.1-1.3.
- 1.2 Within **30 days** of receipt of written notification from OCR of its approval of the above procedures and notice, the HPS will provide documentation to OCR evidencing that they have been fully implemented and that all relevant HSA administrators, faculty, and staff have been notified of said procedures. The documentation will also show that HSA parents/guardians of SWDs have been provided the notice referenced in Action Item 1.3.

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<sup>1</sup> :Taking into account a reasonable amount of time for parents/guardians to obtain and/or complete any necessary documentation and for the processing of the requests by the SSD coordinator and the College Board.

**ACTION ITEM 2: INDIVIDUAL STUDENT:**

- 2.1 By **April 30, 2016**, after providing proper written notice to the complainant, a group of knowledgeable persons, to include the complainant,<sup>2</sup> will determine whether the Student needs compensatory and/or remedial services as a result of the HSA’s alleged failure to provide appropriate regular and/or special education or related services (specifically, extended time XXXX and/or XXXX, reduced assignments XXXX, and X---phrase redacted---X during the XXXX XXXX semester and XXXX-XXXX school year). If so, within 1 week of its determination, the group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond **June 30, 2016**. The HPS will provide the complainant with written notice of the group’s determination (and if applicable, the above plan). In addition, the HPS will provide the complainant with written notice of Section 504 procedural safeguards including the right to challenge the group’s determination through an impartial due process hearing.
- 2.2 By **April 30, 2016**, the HPS will notify the complainant of its offer for reimbursement of the cost of the Student’s SAT administration in XXXX XXXX upon the complainant providing documentation of the expense. Within 2 weeks of the receipt of this documentation, the HPS will reimburse the complainant as provided above.

***REPORTING REQUIREMENTS: ACTION ITEM #2***

- 2.1 Within 2 weeks of the decision as to whether compensatory and/or remedial services are needed, the 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, a description of and schedule for providing any compensatory and/or remedial services (if any) to the Student, and the written notice provided to the complainant regarding the above decision (and if applicable, the above plan) and Section 504 procedural safeguards. OCR will, prior to approving the District’s decision and plan for providing the proposed services, review the documentation to ensure that the District 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.
- 2.2 In the event the District determines that the Student is entitled to compensatory and/or remedial services, the District will provide to OCR, no later than **August 31, 2016**, documentation of the dates, times, and locations that any compensatory and/or remedial services were provided. The documentation shall include a description of the services provided and the name(s) of the providers.

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<sup>2</sup> If the complainant agrees to participate after receiving notice.

2.3 By **June 30, 2016**, the HPS will provide OCR with documentation of its notice to the complainant of the reimbursement offer described in Action Item 2.2. The HPS will also inform OCR whether the complainant provided the referenced expense documentation. If so, the HPS will also provide documentation of the complainant’s reimbursement for the cost of the Student’s XXXX XXXX SAT administration.

The 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, the HPS understands that during the monitoring of this Agreement, if necessary, OCR may visit the HPS, interview staff and Students, and request such additional reports or data as are necessary for OCR to determine whether the HPS has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II. The 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 the HPS written notice of the alleged breach and a sixty (60) calendar days to cure the alleged breach.

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Authorized Representative  
Harmony Public Schools

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Date