

RESOLUTION AGREEMENT
Dallas Independent School District
OCR Case Number: 06161518

The Dallas Independent School District (Dallas ISD or the District) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office, to resolve the concerns identified by OCR in its investigation of the above-referenced complaint. The Dallas ISD is committed to fulfilling its obligations pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at, 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 regulation at 28 C.F.R. Part 37, to provide instructional services to students who, because of disability, may need regular or special education or related aids and services. By submitting this Agreement, the Dallas ISD agrees to take the following corrective actions:

A. INDIVIDUAL STUDENT REMEDIES

Action Item:

1. By September 22, 2017, the Dallas ISD will consider whether the Student identified in the above-referenced complaint¹ is in need of compensatory services as a result of the Dallas ISD's failure to previously implement the Student's Section 504 Plan during the XXXX - XXXX school year (from XXXX X, XXXX, to XXXX X, XXXX). If appropriate, the committee will develop a plan for the provision of compensatory services to the Student, including timeframes for the provision of compensatory services.

Reporting Requirements:

- By October 30, 2017, the Dallas ISD shall provide documentation to OCR evidencing that the evaluation required pursuant to Action Item A1 has been conducted. The documentation shall include the names and titles of the individuals knowledgeable about the Student who participated in the evaluation, copies of the Student's evaluation data reviewed, and the placement options discussed. If the Dallas ISD determines that the Student is not in need of any regular or special education or related aids and services, including compensatory educational services, then the Dallas ISD shall provide documentation to OCR evidencing its determination, including the documentation relied upon by the Dallas ISD in reaching this determination. OCR will review the documentation to ensure that the Dallas ISD has met the procedural requirements of the regulations implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35, and 104.36.
- If the Dallas ISD has determined that related aids and services, including compensatory educational services, are required for the Student, then by December 1, 2017, the Dallas ISD shall provide documentation to OCR

¹ The Student was previously identified to the Dallas ISD in OCR's request for information from the District dated XXXX XX, XXXX.

evidencing that the agreed-upon services have been provided for the Student during the relevant school year.

B. STAFF TRAINING

Action Item:

1. By September 30, 2017, the Dallas ISD will provide in-service training to all administrators, teachers, and other persons involved in the provision of FAPE at XXXX XXXX School to qualified students with disabilities under Section 504 and Title II, including the duty to provide instructional services to students who need or are believed to need special education or related aids and services as a result of disability.

Reporting Requirements:

- By August 15, 2017, the Dallas ISD will provide OCR, for review and approval via email, with a copy of the training module and/or outline of the training materials that the Dallas ISD 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 Dallas ISD will use to inform attendees of the mandatory training.
- Within 2 months of receiving OCR's approval of the training referenced in Action Item B1 above, the Dallas ISD will provide OCR with documentation demonstrating that the training referenced above was provided. This documentation will include, at a minimum, the date(s) of the training; the name and credentials of the trainer; copies of any training materials used, including handouts, guides, or other materials; and proof of attendance by relevant staff.

C. REVIEW AND REVISION OF PROCEDURES AND CHECKLISTS

Action Item:

1. By September 30, 2017, the Dallas ISD will evaluate and/or revise its procedures and checklists with regard to students who transfer between campuses and who receive services under Section 504/Title II to ensure that the District continues to provide services when a student transfers to another school within the District. The Dallas ISD will submit its revised procedures and checklists to OCR for OCR's review and approval. The evaluation will determine the processes necessary to ensure that the Dallas ISD take all steps reasonably designed to ensure that students with disabilities enrolled in the Dallas ISD are not denied a free appropriate public education (FAPE) when they transfer to another campus.

Reporting Requirements:

- By September 30, 2017, the District will provide OCR with draft revised procedures and checklists regarding student transfer, if necessary, as required in Action Item C1 above for OCR’s review and approval.
- Within **30 calendar days** of OCR’s approval of the District’s revised procedures, the District will adopt and implement the revised procedures and will provide employees with written notice regarding the revised procedures. The District will make this notification through the most efficient medium possible at the time of OCR’s approval.
- Within **30 calendar days** of the District’s adoption of its revised procedures, it will provide written verification to OCR that it has adopted and implemented its revised procedures and has provided the notice to employees.

D. GENERAL PROVISIONS

The Dallas ISD understands that by signing the Agreement, it agrees to provide data and other information in a timely manner. Further, the Dallas ISD understands that, during the monitoring of the Agreement, OCR may visit the Dallas ISD, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Dallas ISD has fulfilled the terms of the Agreement and is in compliance with Section 504 and Title II.

The Dallas ISD understands that OCR will not close the monitoring of the Agreement until such time that OCR determines that the Dallas ISD has fulfilled the terms of the Agreement and is in compliance with Section 504 and Title II.

The Dallas ISD understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the Dallas ISD written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Dallas ISD Superintendent or Designee

Date