

RESOLUTION AGREEMENT

Georgetown Independent School District
OCR Complaint Number 06171048

The Georgetown Independent School District (GISD or District) agrees to implement the following Resolution Agreement (Agreement) to resolve allegations in the above referenced complaint, which was opened for investigation by the U. S. Department of Education (Department), Office for Civil Rights (OCR), pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation 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 35.

The District is committed to complying fully with Section 504 and Title II, and, accordingly, it has voluntarily agreed to take the steps outlined in this Agreement. The signing of this Agreement by the District does not constitute an admission by the District that it has violated Section 504 or Title II.

ACTION ITEM 1: Training/Education

By June 30, 2017, the GISD will develop and submit to OCR for review and approval proposed district-wide training regarding its obligation under Section 504 and Title II 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) The GSID's policies and procedures for carrying out its responsibilities under Section 504 and Title II to provide a FAPE to each qualified child with disabilities in the district, regardless of the nature or severity of the child's disability(ies); and
- (b) The GSID's obligation to timely evaluate a student's need for regular or special education and related aids and services when it has notice that the student needs or is believed to need such aids and services.

REPORTING REQUIREMENT 1:

By June 30, 2017, the GISD will provide to OCR, for OCR approval, a copy of the policy and procedure as specified in this Action Item. Specifically, the GISD 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 the GISD intends to use at the training session(s).

ACTION ITEM 2: Training/Education

Following OCR's written notification that the proposed training complies with the requirements of Section 504, Title II, and this Agreement, the GISD will conduct the training for all relevant personnel, including, but not limited to, school administrators, faculty, and counselors, by August 31, 2017.

REPORTING REQUIREMENT 2:

By September 30, 2017, the GISD 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

By May 31, 2017, the GISD will conduct an evaluation of Students A and B to identify their need for special education or related aids and services, consistent with the Section 504 regulation at 34 C.F.R. §104.35. Pursuant to Section 504, at 34 C.F.R. §104.35, the evaluations should be conducted by a group of persons who are knowledgeable about the Students, the meaning of the evaluation data, and placement options within the GISD. Prior to the conclusion of this evaluation, the GISD will provide the complainant notice of the GISD's system of procedural safeguards, including the right to challenge the group's determination through an impartial due process hearing.

REPORTING REQUIREMENT 3:

By May 31, 2017, the GISD will submit the determinations regarding Students A and B to OCR.

ACTION ITEM 4: Student Remedies

By May 31, 2017, if the Students are deemed to have a need for special education or related aids and services, the District shall convene a Section 504 and/or Individualized Education Program (IEP) committee meeting to determine whether compensatory or remedial education services are presently appropriate for Students A and/or B, based on Students' current levels of academic achievement, due to a loss of educational opportunity resulting from the failure to evaluate the Student during the [XXXX], [XXXX], and [XXXX] school years.

Where compensatory education services are deemed appropriate, the complainant will be notified (by mail, certified return receipt) of the compensatory education offered by the District.

REPORTING REQUIREMENT 4:

By August 1, 2017, the GISD will submit documentation to OCR demonstrating that it has fully complied with this Action Item. Such documentation will include:

- (a.) A list of the individuals who attended the meetings, including each individual's name, title, and role in the meeting.
- (b.) Documentation of the District's conclusions and a copy or summary of the information the District considered in reaching those conclusions.
- (c.) A copy of each student's 504 plan or individualized education plan resulting from the meetings.
- (d.) If applicable, evidence that the complainant was notified in writing of the compensatory education or related aids and services offered by the District.

- (e.) If applicable, by October 1, 2017, the District 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).

The District understands that by signing the Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that, during the monitoring of the Agreement, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of the Agreement and is in compliance with the statute(s) and regulations that were at issue in this case. The District understands that OCR will not close the monitoring of the Agreement until such time that OCR determines that the District has fulfilled the terms of the Agreement and is in compliance with the statute(s) and regulations that were at issue in this case. The District 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 District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

For Georgetown Independent School District:

/s/

Dr. Fred Brent, Superintendent

Date