



RESOLUTION AGREEMENT

Webster Parish School Board
OCR Case Number: 06171325

A. GENERAL TERMS & PRINCIPLES:

OCR and the Webster Parish School Board (WPSB, District, or Recipient) enter into this agreement to resolve the allegation in the above-referenced complaint. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the Recipient. The Recipient assures the U. S. Department of Education, Office for Civil Rights, (OCR), that it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. §794 (amended 1992), and its implementing regulation at 34 C.F.R. Part 104, which prohibits discrimination on the basis of disability; 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, which prohibits certain public entities from discriminating on the basis of disability.

Prior to the completion of OCR's investigation, the Recipient voluntarily agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issues of this investigation, the Recipient agrees to take the following actions.

B. ACTION ITEMS & REPORTING REQUIREMENTS:

DISTRICT-WIDE REMEDY

Action Item 1:

Training on Free Appropriate Public Education (FAPE).

By **March 15, 2018**, the Recipient will conduct training regarding its obligation under Section 504 and Title II to provide a free appropriate public education to all qualified students with disabilities attending its schools, and Section 504's and Title II's prohibitions of disability discrimination and retaliation.. The training will also focus on the Recipient's obligation to abide by the requirements of Section 504 and Title II, as it relates to the provision of an appropriate education including the requirement to provide a manifestation determination prior to making a significant change in placement and the prohibition of retaliation against any individuals exercising their rights under Section 504 and Title II. The training will be conducted by a person or persons knowledgeable about the requirements of Section 504 and Title II, will be presented to all principals, assistant principals, deans of students, and School Building Level Committee (SBLC)/504 chairpersons within the Webster Parish School Board, and must be reviewed by OCR.

Reporting Requirements for Action Item 1:

- (a) By **February 22, 2018**, the Recipient will provide OCR, for OCR's review, the proposed training materials to be used and distributed during the training described in Action Item 1, including any speaker's notes, handouts, and the name, title, contact information, and qualifications of the trainer(s).

- (b) **Within 10 days** of completing the training in Action Item 1, the Recipient will provide to OCR written verification that all required WPSB faculty, staff, and administrators have received the training, in addition to the date(s) of the training, a copy of the training materials, and sign-in sheet(s) with the names and titles of individuals who attended the training.

INDIVIDUAL REMEDY (STUDENT)

Action Item 2:

Admission, Review, and Dismissal (ARD), and Manifestation Determination Meeting.

Within **45 calendar days of the date of this agreement**, the Recipient will convene a meeting of a group of knowledgeable persons, as defined by Section 504, to review information from a variety of sources (which will be documented and carefully considered) and determine whether the Student needs compensatory and/or remedial services as a result of any failure on the part of the WPSB to hold a manifestation determination review prior to the suspension of the Student during the 2016-2017 school year. If the group determines that the Student needs compensatory and/or remedial services, the group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond **December 31, 2018**, unless previously agreed upon by OCR. The Recipient will provide the Student's parent/guardian notice of the procedural safeguards including the right to challenge the group's determination through an impartial due process hearing.

Reporting Requirements for Action Item 2:

- (a) Within **60 calendar days of the date of this agreement**, the Recipient will submit to OCR documents supporting the group's decision. The documentation submitted shall include:
- i. A copy of the written notification sent to the Complainant concerning the date and time of the meeting and the right of the parent(s)/guardian(s) to attend, and proof of transmission to the Complainant (e.g., email chain, certified mail and tracking receipt, etc.);
 - ii. A list of all participants in the meeting (including names, titles, role in the meeting, and whether or not the participant was a voting member of the group);
 - iii. Records of all information considered during the meeting;
 - iv. Minutes or notes from the meeting;
 - v. An explanation of the decisions made during the meeting; and
 - vi. A description of and schedule for any compensatory and/or remedial services (if any) determined appropriate for the Student. If the group determines that compensatory and/or remedial services are not required, the Recipient will indicate that in its report, including a description of why the group reached that decision.
- (b) If compensatory and/or remedial services are deemed necessary, the Recipient 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 how it was provided, and the names, titles, and contact information (telephone numbers and email addresses) of the services providers **within 60 calendar days following completion of services**. If such

services are provided, the Recipient will ensure that the student has completed all remediation by **December 31, 2018**, unless previously agreed upon by OCR.

C. EXECUTION:

The Recipient understands that by signing this Agreement, it agrees to provide the foregoing information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the Recipient understands that during the monitoring of this Agreement, if necessary, OCR may visit the Recipient, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Recipient has fulfilled the terms of this Agreement and is in compliance with Section 504 and Title II, and their implementing regulations at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, respectively. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

The Recipient 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 Recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the Recipient's representative below.

On behalf of the Webster Parish School Board, I hereby agree to and voluntarily submit this Resolution Agreement to the U.S. Department of Education, Office for Civil Rights, Dallas Enforcement Office, and commit to the general terms, principles, action items, and reporting requirements contained herein.

[signer's name]
[signer's title]
Webster Parish School Board

Date