



RESOLUTION AGREEMENT

Texas Education Agency OCR Complaint Docket Number 06-17-1713

JURISDICTION

OCR and the Texas Education Agency (TEA) voluntarily enter into this agreement (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 TEA. The TEA 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 Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulation, at 34 C.F.R. Part 100, which prohibits discrimination on the bases of race, color, or national origin.

Prior to completion of OCR's investigation, The TEA 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 TEA agrees to take the following actions:

A. ACTION ITEMS AND REPORTING REQUIREMENTS

Action Item I: Improving Parental Communication with Texas Education Agency's Limited English Proficient (LEP) constituents.

1. By **February 28, 2018**, the TEA's special education complaint office shall review and revise its policies and procedures concerning effective communication to ensure that national origin minority LEP parents and/ or guardians, students, advocates, etc. (herein after "TEA LEP constituents") are effectively and timely served in a language they can understand. The newly revised policies must address, at a minimum, how TEA LEP constituents will be identified; how investigative findings will be provided; how reconsideration timelines will be adjusted for translation delays; oral communication and interpretation procedures; and how complaint processing procedures will be disseminated to TEA LEP constituents.
2. By **April 30, 2018**, after receiving OCR's approval of its revised parental communication policies and procedures, TEA shall adopt and implement the policy into its operating procedures.

Action Item I: Reporting Requirements

1. By **March 15, 2018**, the TEA will submit to OCR for review and approval, a copy of its revised policies and procedures concerning parental communication with its LEP constituents.
2. By **May 15, 2018**, after adopting the OCR approved parental communication policies, TEA shall submit a copy, in its disseminated format, of its final adopted effective communication policies and procedures to OCR. The submission must include how the adopted policies and procedures were disseminated to the staff, and how they were made viewable and available to the public.

Action Item II: Staff Training

1. By **April 15, 2018**, the TEA will prepare and submit for OCR’s review and approval, a description of proposed training, which will be attended by pertinent TEA personnel on the revised policy regarding communication with TEA LEP constituents, referenced in Action Item 1.
2. By **May 30, 2018**, after receiving OCR’s approval regarding the training, the TEA will provide the training mentioned above in Action Item II number 1.

Action Item II: Reporting Requirements

1. By **April 30, 2018**, the TEA will submit for OCR’s review and approval, a description of the training, the trainer’s name and qualifications, and the name and title of the staff identified as trainees expected to attend the training on the revised policy regarding communication with TEA LEP constituents.
2. By **June 30, 2018**, TEA will submit to OCR documentation evidencing the completion of the training mentioned above in Action Item II number 1. The documentation shall include the name of the individual that provided the training, a sign-up sheet with the names and titles of those in attendance, and when and where the training occurred.

The TEA 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 TEA understands that during the monitoring of this Agreement, if necessary, OCR may visit the TEA, interview staff, and request such additional reports or data as are necessary for OCR to determine whether the TEA has fulfilled the terms of this Agreement and is in compliance with Title VI, and its implementing regulations at 34 C.F.R. Part 100. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

The TEA 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 TEA 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 TEA’s representative below.

B. EXECUTION:

On behalf of the Texas Education Agency, 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.

Name and Title of Authorized TEA Official (PRINT)

Date

_s/_____
Signature of Authorized TEA Official