

RESOLUTION AGREEMENT

Farmersville Independent School District (FISD) OCR Reference No. 06-17-1837

The U.S. Department of Education, Office for Civil Rights (OCR) and Farmersville Independent School District (“the Recipient”) enter into this agreement to resolve the allegation in the above-referenced complaints. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the Recipient. The Recipient assures OCR that it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. Section 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. Sections 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

Prior to the completion of OCR’s investigation, the Recipient 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.

Action Item 1 – Training

The District will provide training regarding its obligation under Section 504 and Title II to provide a FAPE to all qualified students with disabilities residing within its jurisdiction. The training should be provided to all relevant **personnel (xxxxxx)**, including, but not limited to, District administrators, school administrators, faculty, staff, and counselors. The training will be conducted by individuals knowledgeable about the laws and issues pertaining to disability discrimination. The training shall address:

- a) The District ’s obligation to implement services deemed necessary to provide a FAPE to qualified individuals with disabilities, pursuant to Section 504, at 34 C.F.R. § 104.33; specifically regarding participation in athletics, participation in extracurricular activities, discipline, and IEP/BIP applicability and implementation.
- b) The District ’s obligations, under Section 504 and Title II, to provide equal access to extracurricular and/or physical activities, consistent with 34 C.F.R. Sections 104.34(b) and 104.37, and 28 C.F.R. Section 35.130;

Reporting Requirement #1

- a) **Within 60 days** of the signing of this Agreement, the District will submit to OCR for review and approval, its proposal for complying with Action Item 1, above. Specifically, the District 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 District intends to use at the training session(s).
- b) **Within 60 days** of OCR’s approval of the individual(s) and materials referenced in Reporting Requirement 1(a), the District will provide the training listed in Action Item 1 above.
- c) **Within 30 days** of the completion of the training referenced in Reporting Requirement 1(b), the District will provide OCR with documentation demonstrating that it has timely completed Action Item 1 above. Specifically, the District will provide to OCR the names of all individuals who attended the training session(s) provided pursuant to Action Item 1, the date(s) and time(s) the training session(s) occurred, the name(s) and credentials of the individual(s) who conducted the training session(s), and copies of the materials disseminated at the training session(s).

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 request such additional reports or data, including simulated website accounts and passwords, as are necessary for OCR to determine whether the Recipient has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.4 and 104.33, and Title II, at 28 C.F.R. §§ 35.130, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

If the Fisd fails to implement the Agreement, 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 Fisd 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.

Mr. Jeff Adams, Superintendent
Farmersville I.S.D.

Date