

Resolution Agreement
Grand Prairie Independent School District
OCR Complaint No. 06171898

The U.S. Department of Education, Office for Civil Rights (OCR) and the Grand Prairie Independent School District (District or Recipient) enter into this Resolution Agreement (Agreement) to resolve the allegations in the above-referenced complaint. 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. In order to resolve the issues of this complaint, the Recipient agrees to take the following actions.

Action Item 1 – Training for Personnel

On August 2, 2018 and September 12, 2018, the District provided training regarding its obligation under Section 504 and Title II to provide a free and appropriate public education (FAPE) to all qualified students with disabilities residing within its jurisdiction. The initial training was provided to South Grand Prairie High School (SGPHS) administrators by individuals knowledgeable about the laws and issues pertaining to disability discrimination as well as the evaluation and reevaluation of students who are or are believed to be disabled. SGPHS administrators then provided training to all relevant personnel at SGPHS via staff in-service training. The training conducted at SGPHS addressed the following topics:

- 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 the provision of related aids and services, including the implementation of a Section 504 Plan, Individualized Education Program (IEP), Behavior Intervention Plan (BIP), and Health/Medical Plan.
- b) The District's obligation, under Section 504 and Title II, to provide equal access to the Recipient's programs and activities, including but not limited to extracurricular and/or physical education 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 30 days** of signing this Agreement, 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 following: 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).

Action Item 2– Student’s Placement and the Provision of FAPE

On August 29, 2018, the District convened a group of persons knowledgeable about the Student (Group), including the Student’s parent(s), to review and revise (if necessary) his educational placement for the 2018-2019 school year. The Group considered the Student’s needs for related aids and services and/or special education services to be provided to him during the 2018-2019 school year.

By October 15, 2018, the District will notify all persons responsible for delivering related services and/or special education services to the Student of their obligation to provide such services to him as specified in his Section 504 Plan, IEP, BIP, and Health/Medical Plan for the 2018-2019 school year.

Reporting Requirement #2

- a) **Within 30 days** of signing this Agreement, the District will submit to OCR documentation showing that it convened a Group to review the Student’s educational placement for the 2018-2019 school year. The Recipient will submit to OCR documents supporting any decision(s) made by the group. The documentation submitted shall include the names of the participants in the meeting, an explanation of the decision(s) made, the information considered, a description of any change in the Student’s placement, and a description of and schedule for providing any compensatory and/or remedial services (if any) to the Student. The District shall also provide evidence that the Complainant was notified of any determinations.
- b) **Within 60 days** of providing any compensatory services to the Student (if any) that were determined to be necessary by the Group, and for which the Complainant provided consent, the District will submit to OCR documents evidencing the delivery of such compensatory services.
- c) **Within 30 days** of signing this Agreement, the District will submit to OCR documentation showing that it notified all persons responsible for providing related services and special education services of their obligation to provide such services to the Student as specified in his current Section 504 Plan, IEP, BIP, and/or Health/Medical Plan to be implemented during the 2018-2019 school year.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the Recipient has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II.

The District also understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the District understands that during the monitoring of the Agreement, if necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as necessary for OCR to determine whether the District has fulfilled the terms of the Agreement. Upon the District's satisfaction of the commitments made under the Agreement, OCR will close the case.

The District 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 proceeding to enforce this Agreement, OCR shall give the District 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 District's representative below.

/s/ _____
Dr. Susan Hull, Superintendent
Grand Prairie Independent School District

9/25/18 _____
Date