



RESOLUTION AGREEMENT
Garland Independent School District
OCR Case Number: 06181033

The Garland Independent School District (GISD or Recipient) voluntarily enters this Resolution Agreement (Agreement) with the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office. The Recipient voluntarily agrees it will take the following actions to comply with Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulations at 34 C.F.R. Part 104; and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulations at 28 C.F.R. Part 35, and to resolve the Complainant's allegations. This Agreement does not constitute an admission by GISD that it violated any law, that it discriminated against Complainant, or that GISD engaged in any wrongdoing. Prior to the completion of OCR's investigation, GISD agreed to resolve the complaint. Accordingly, GISD voluntarily agrees to take the following actions:

ACTION ITEMS & REPORTING REQUIREMENTS:

Action Item 1

Within **30 calendar days of the date of this agreement**, the Recipient will convene a meeting of a group of persons knowledgeable about the Student, as defined by Section 504, to review information from a variety of sources (which will be documented and carefully considered) to determine whether the Student needs compensatory and/or remedial services as a result of any failure on the part of the Recipient to provide appropriate regular and/or special education or related services to the Student during the 2017-2018 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**. The Recipient will provide the Student's parent(s)/guardian(s) 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 1

- (a) Within **60 calendar days of the date of this agreement**, the Recipient will submit to OCR documentation evincing the provision of Action Item 1, including:
- i. A copy of the written notification sent to the Complainant concerning the date and time of the meeting, 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, by **January 15, 2019**, 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 compensatory and/or remedial services were provided and how they were provided; and the names, titles, and contact information (telephone numbers and email addresses) of the service providers.

Action Item 2

The Recipient will conduct training, upon prior review and approval by OCR, 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. 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 obligation of staff members to fully implement any individualized education program or Section 504 plan that has been developed for a qualified student with a disability, including plans that provide other related services for students with dyslexia. The training must be provided, at a minimum, to O'Banion Middle (School) administrators, teachers, and the Recipient's Section 504 coordinator(s). The training must be conducted by a person or persons knowledgeable about the requirements of Section 504 and Title II.

Reporting Requirements for Action Item 2

- (a) Within **30 calendar days of the date of this agreement**, the Recipient will provide OCR, for OCR's review and approval, the proposed training materials to be used during the training described in Action Item 2, including any speaker's notes, PowerPoint presentations, or handouts, and including the name, title, contact information, and qualifications of the trainer(s).
- (b) The Recipient will conduct the above-referenced training within 30 days of receiving OCR's approval of the training. **Within 10 days of completing the training**, the Recipient will provide to OCR written verification that all required faculty, staff, and administrators have received the training, the date(s) of the training, and sign-in sheet(s) with the names and titles of individuals who attended the training.

The Recipient understands that by signing the Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the Recipient understands that during the monitoring of the 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 the Agreement.

Upon the Recipient's satisfaction of the commitments made under the Agreement, OCR will close the case.

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

EXECUTION:

This Agreement will become effective immediately upon the signature of GISD’s authorized representative below.

Dr. Ricardo López
Superintendent
Garland Independent School District

Date