



RESOLUTION AGREEMENT

San Antonio Independent School District

OCR Case Number: 06-18-1720

The U.S. Department of Education, Office for Civil Rights (OCR), and the San Antonio Independent School District (District) enter into this 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 District. The District 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 District 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 District agrees to take the following actions.

Action Item 1

- A. The District will conduct mandatory training for all Collins Gardens Elementary School staff regarding the District's obligation to permit the use of a service animal by an individual with a disability under Title II and Section 504, at 28 C.F.R. § 35.136(a) and 34 C.F.R. § 104.4(a), respectively. The training will highlight the District's existing policy on service animals. The training will be conducted by a person(s) knowledgeable about the requirements of Section 504/Title II.

Reporting Requirements: Action Item 1

1. **By December 28, 2018**, and prior to the training, the District will provide OCR, *for review and approval*:
 - a. A copy of the training module and/or outline of the training materials that the District will utilize;
 - b. The name, credentials and contact information for the person(s) who will conduct the training; and
 - c. A description and/or copy of the notification that the District will use to inform attendees of the mandatory training.
2. **By January 31, 2019**, the District will provide OCR with detailed information regarding the training of staff about the requirements regarding the District's obligation to permit the use of a service animal by an individual with a disability under Title II and Section 504, at 28 C.F.R. § 35.136(a) and 34 C.F.R. § 104.4(a), respectively. The District will provide OCR with:

- a. A sign in sheets for all training sessions evidencing all staff who attended the training,
- b. The date(s) the training was conducted;
- c. A copy of the training materials used; and
- d. The name, title, credentials and contact information for the person(s) who provided the training.

The District 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 District understands that during the monitoring of this Agreement, if necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. §104.21, and Title II implementing regulation at 28 C.F.R. §35.149. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this 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 proceedings 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.

Pedro Martinez, Superintendent
San Antonio Independent School District

Date