

RESOLUTION AGREEMENT
Georgetown Independent School District
Complaint Number 06-18-1739

OCR and the Georgetown Independent School District (Georgetown ISD, GISD, the District) enter into this 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 District. The District 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 II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12132, and its implementing regulation at 28 C.F.R. Part 35, and Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104.

The District agreed to resolve the issue raised in the complaint pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issue of this complaint, the District agrees to take the following actions.

SECTION 1 – ACTION ITEMS

- A. By October 23, 2018, Georgetown ISD will evaluate the Student to determine whether the Student has *****[redacted]*****. Such evaluative measures will conform to the requirements of 34 C.F.R. § 104.35.

- B. By November 15, 2018, Georgetown ISD will hold a meeting concerning the Student (i.e. a 504/IEP/IAP meeting). The meeting will be composed of a group of persons knowledgeable about the Student, the meaning of the evaluation data to be considered, and the placement options (i.e. 504 Committee). The meeting will conform to the requirements of 34 C.F.R. § 104.35. In this meeting, the 504 Committee will consider the data gathered pursuant to Paragraph 1(A) of this Agreement, and will make determinations regarding the following matters:
 - i. Whether the Student has *****[redacted]***** which substantially limits a major life activity (i.e. a disability);
 - ii. What accommodations are necessary to address this disability (if confirmed pursuant to Paragraph 1(B)(i)), and thereby ensure that the Student receives a free, appropriate public education;
 - iii. Whether the Student requires any compensatory and/or remedial services as a result of any failure to identify this disability (if confirmed pursuant to Paragraph 1(B)(i)) during the 2017-2018 academic year.

- C. If the 504 Committee determined that compensatory and/or remedial services are necessary for the Student pursuant to Paragraph 1(B)(iii), by November 30, 2018, the 504 Committee will develop a plan for providing timely compensatory and/or remedial services. Any necessary compensatory and/or remedial service will be provided no later than March 1, 2019.

SECTION 2 – REPORTING REQUIREMENTS

- A. By December 15, 2018, Georgetown ISD will provide to OCR the following:
 - i. Documentation of all information gathered and testing conducted pursuant to Paragraph 1(A);
 - ii. All documentation pertaining to the 504 meeting conducted pursuant to Paragraph 1(B). Such documentation will include, at a minimum: a list of participants at the meeting (including names and titles), records of all information considered at the meeting, and minutes or notes of the meeting, including all determinations made; and
 - iii. If applicable, a copy of the plan for providing compensatory and/or remedial services created by the 504 Committee pursuant to Paragraph 1(C).

- B. If applicable, by March 15, 2019, Georgetown ISD will provide to OCR documentation of compensatory and/or remedial services provided in compliance with the plan created pursuant to Paragraph 1(C), including:
 - i. The dates, times and locations that compensatory and/or remedial services were provided;
 - ii. A description of what was provided, and
 - iii. The names, titles, and contact information (telephone numbers and email addresses) of the service providers.

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 Title II and its implementing regulation at 28 C.F.R. Part 35, and Section 504 and its implementing regulation 34 C.F.R. Part 104. Upon completion of the obligations under this Agreement, OCR will 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. §§ 100.8-100.10, incorporated by reference at 34 C.F.R. § 104.61), or judicial proceedings to enforce this Agreement, OCR will 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.

Name _____
Title _____

Date