

VOLUNTARY RESOLUTION AGREEMENT

Leander Independent School District

OCR Case Number: 06191199

The Leander Independent School District (LISD or the District) submits this Voluntary Resolution Agreement (Agreement) to the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the LISD. The LISD assures OCR that it will take the actions outlined in this Agreement to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 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. § 12132, and its implementing regulation, at 28 C.F.R. Part 35, which prohibit discrimination based on disability by recipients of Federal financial assistance from the Department and certain public entities, respectively.

Prior to the completion of OCR's investigation, the LISD agreed to resolve the issue of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issue under investigation, the LISD agrees to the action items below.

A. INDIVIDUAL STUDENT REMEDIES

Action Item:

1. By **March 8, 2019**, XXXX XXXX XXXX staff, including, but not limited to, the Student's XXXX XXXX and XXXX XXXX XXXX, will meet with the complainant to discuss the Student's participation in XXXX during the spring 2019 semester. In consultation with the complainant, the Student's XXXX and XXXX XXXX XXXX will develop a plan for ensuring that expectations regarding the Student's participation in all XXXX activities are clearly communicated with the complainant. The LISD staff, in consultation with the complainant, will also develop a plan for ensuring that the Student is provided an equal opportunity to participate in all XXXX activities scheduled during the spring 2019 semester.

Reporting Requirement:

- By **April 12, 2019**, the LISD will provide documentation to OCR evidencing that Action Item A1 has been completed (e.g., written email summary of meeting discussion and plan(s) developed). The LISD will also provide any documentation available which evidences the Student's participation in scheduled XXXX activities for the spring 2019 semester (e.g., email confirmation of dates/times of XXXX – to end of sentence redacted - XXXX).

B. STAFF TRAINING

Action Item:

1. By **September 6, 2019**, the LISD shall ensure that all XXXX XXXX XXXX staff receives training regarding the LISD's obligation to ensure that the LISD's programs and activities, including extracurricular activities, are made available to students with

disabilities to the same extent as they are made available to students without disabilities. The training will cover, at a minimum, the policies and procedures in place at XXXX XXXX XXXX for ensuring that plans are made to accommodate disabled students' individualized needs to ensure the students are provided an equivalent opportunity to participate in extracurricular activities.

Reporting Requirement:

- By **July 19, 2019**, the LISD will submit to OCR, for review and approval, the contents of the training proposed to be conducted for staff pursuant to Action Item B1. The LISD will also provide the identity and qualifications of the individual who will provide the training. If OCR has any proposed revisions to the training contents, OCR will promptly notify the LISD, no later than 30 calendar days after receiving the LISD's report. If the LISD does not receive a response from OCR within 30 calendar days, the LISD may assume that OCR approves the training without revision(s).
- By **September 20, 2019**, the LISD will submit to OCR documentation evidencing that the training required by Action Item B1 has been conducted. The documentation will include the date and time(s) the training was conducted, the identity of individuals attending the training by name and title, and a copy of the presentation materials.

C. GENERAL PROVISIONS

The LISD 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 LISD 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 LISD has fulfilled the terms of this Agreement and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. § 104.37, and Title II and its implementing regulation, 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.

The LISD 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 LISD 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 LISD's representative below.

LISD Superintendent or Designee

Date