



3755 Church Street
Zachary, LA 70791
ZZS.65B. 969
fax ZZS.65B.5Z61
www.zacharyschools.org

July 26, 2019

VOLUNTARY RESOLUTION AGREEMENT
Zachary Community School Board
OCR Case Number: 06-19-1467

The Zachary Community School Board (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 District. The District 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 District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issues under investigation, the District agrees to the action items below.

A. INDIVIDUAL STUDENT REMEDIES

Action Item 1:

1. By **August 26, 2019** the District will ensure that a Section 504 committee of individuals knowledgeable of the Student identified in the above-referenced complaint, the Student's evaluation data, and placement options has been convened. The Section 504 committee will consider whether the Student is in need of any compensatory related aids and services as a result of the District's alleged failure to timely conduct a Manifestation Determination Review and the District's alleged failure to ensure that interventions in the Student's Behavior Intervention Plan identified as necessary for the Student as documented in the Student's Individual Accommodation Plan (IAP) have been provided for the Student during his enrollment at Copper Mill Elementary School. If appropriate, the Section 504 committee will also develop a plan for the provision of compensatory services to the Student, including timeframes for the provision of compensatory services.

Reporting Requirements:

- By **September 3, 2019** the District shall provide documentation to OCR evidencing that a Section 504 committee meeting has been convened pursuant to Action Item A1. The documentation shall include the District's determination regarding whether the Student requires compensatory services, including information relied upon by the District in reaching its determination. If applicable, the documentation shall also include the District's plan, including timeframes, for the provision of compensatory services to the Student. OCR will review the documentation submitted to ensure that the District has met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35, and 104.36.
- If the District determines that the Student requires compensatory services, then by **January 8, 2020** the District shall provide documentation to OCR evidencing that any compensatory services determined appropriate for the Student have been provided to the Student.

A. STAFF TRAINING

Action Item 2:

- I. By **August 10, 2019** the District will conduct training 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, and Section 504's and Title II's prohibitions of disability discrimination. The training will also focus on the District'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 requirement to provide a manifestation determination prior to making a significant change in placement. The training will be conducted by a person or persons knowledgeable about the requirements of Section 504 and Title II, will be presented to all appropriate Copper Mill Elementary School staff.

Reporting Requirements:

- a. **Within 10 days** of completing the training in Action Item 2, the District will provide to OCR written verification that all appropriate Copper Mill Elementary School staff have received the training, in addition to the date(s) of the training, a copy of the training materials, and sign-in sheet(s) with the names and titles of individuals who attended the training and the name, title, contact information, and qualifications of the trainer(s).

B. GENERAL PROVISIONS

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. §§ 104.33, 104.35, and 104.36, 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 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
below.



Scott Deviner, Superintendent
Zachary Community School District

Date: 7/26/19