Resolution Agreement
Houston Independent School District
OCR Complaint No. 06191558

The U.S. Department of Education, Office for Civil Rights (OCR) and the Houston Independent School District (HISD) enter into this Agreement to resolve the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the HISD. The HISD 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), 29 U.S.C. § 794 (amended 1992), 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.

Prior to the completion of OCR’s investigation, the HISD agreed to resolve this complaint pursuant to Section 302 of OCR’s Case Processing Manual. Accordingly, the HISD agrees to take the following action:

ACTION ITEM I

The HISD will provide information to OCR in connection with a training session for all Heights High School (HSS) teachers, administrators, and Section 504 staff members (HHS Staff) regarding its obligations under Section 504 and Title II. The training will include policies and procedures relevant to requests for Section 504 evaluations, how approved accommodation information is communicated to teachers, implementation of accommodations, and re-evaluations of qualified individuals with disabilities before subsequent significant change in placement. The training will be created by one or more individuals knowledgeable about the HISD’s obligations under Section 504 and Title II and may be delivered to HISD employees in an electronic format.

REPORTING REQUIREMENTS

By December 1, 2019, the HISD must provide OCR, for its review and approval, information about the training described in Action Item I that includes, but shall not be limited to, the credentials of the individual(s) selected to conduct the training, a proposed plan for the training session (e.g., length of the training session, topics to be considered, etc.), and a description of the training materials to be used by the trainer(s) and/or provided to attendees during the training session.

Within sixty (60) calendar days after OCR approves the training-based information described in Action Item I, the HISD will conduct the training session. The training must be provided to all HHS Staff as defined above.

Within ten (10) calendar days after conducting the final training session in accordance with Action Item I, the HISD will provide OCR with documentation demonstrating the training session has been completed, including a sign-in sheet containing the printed name, title, and signatures of all attendees, the materials used during the training, and any other information indicating that the training sessions were conducted in accordance with the requirements of this Agreement.
The HISD understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504.

The HISD also understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the HISD understands that during the monitoring of the Agreement, if necessary, OCR may visit the HISD, interview staff and students, and request such additional reports or data as necessary for OCR to determine whether the HISD has fulfilled the terms of the Agreement. Upon the HISD’s satisfaction of the commitments made under the Agreement, OCR will close the case.

The HISD 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 proceeding to enforce this agreement, OCR shall give the HISD 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 HISD’s representative below.

__________________________________________  ___________________
Dr. Grenita Lathan, Interim Superintendent  Date
Houston Independent School District