



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

REGION VI
LOUISIANA
MISSISSIPPI
TEXAS

1999 BRYAN ST., 1620
DALLAS, TX 75201-6810

RESOLUTION AGREEMENT
Tangipahoa Parish School System
OCR Ref. No. 06191576

A. GENERAL TERMS & PRINCIPLES:

OCR and the Tangipahoa Parish School System (TPSS, District) enter into this agreement to resolve the allegations in the above-referenced complaints. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by TPSS.

TPSS 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 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, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 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 investigations, TPSS agreed to resolve the issues of these investigations pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve the issues of these investigations, TPSS agrees to take the following actions.

B. TRAINING REQUIREMENT

Action Item 1 - Training

By **January 30, 2020**, TPSS will draft and provide a training to all current paraprofessional staff at [redacted] regarding TPSS's obligation under Section 504 and Title II to provide a FAPE to all qualified students with disabilities attending its school. The training shall address, at a minimum: TPSS's policies and procedures for carrying out its responsibilities under Section 504 and Title II to provide a FAPE to each qualified disabled person who is attending its schools, including TPSS staff members' obligation to fully implement students' Section 504 plans for the full school day. TPSS will also ensure that temporary and substitute paraprofessionals are made aware of their responsibilities under Section 504 and Title II.

Reporting Requirement for Action Item 1:

By **January 30, 2020**, TPSS will provide OCR with detailed information regarding the training conducted. Specifically, TPSS will provide OCR with a copy of the training, the sign-in sheets for all training sessions showing all staff who attended the training; the date(s) of the training session(s); a copy of all training materials used; and the name, title, credentials, and contact information of the person(s) who provided the training. TPSS will also provide written assurance from the staff member(s) responsible for hiring temporary and/or substitute staff that any

temporary and substitute paraprofessionals hired after the training will be made aware of their responsibilities under Section 504 and Title II.

C. STUDENT REMEDIES

Action Item 2 – 504 Meeting

By **January 30, 2020**, the District will convene a group of people knowledgeable about the data, the Student, and placement options (Committee) to conduct an evaluation of the Student consistent with the requirements of Section 504, at 34 C.F.R. § 104.35 in order to determine whether the Student requires compensatory and/or remedial services to address any deficiencies resulting from [*redacted*] (IEP Meeting). TPSS will provide written notice to the Student's parents inviting them to attend the IEP meeting, and will provide the Student's parent(s)/guardian(s) with notice of their procedural safeguards under Section 504, including the right to challenge the group's determination through an impartial due process hearing. If through the evaluation the Committee determines that the Student needs compensatory and/or remedial services, the group will develop a plan for providing timely compensatory and/or remedial services, and ensure that all such services are provided on or before **June 1, 2020**.

Reporting Requirements for Action Item 2:

a. By January 30, 2020:

1. The District will submit to OCR documentation of the evaluation conducted pursuant to Action Item 2. The documentation submitted will include:
 - i. A list of all participants in the meeting (including names and titles);
 - ii. Copies of all documentation and information considered during the meeting;
 - iii. Minutes or notes from the meeting;
 - iv. Documentation of the District's notification of the IEP meeting, invitation to the Student's parents to attend the meeting, notice of procedural rights under Section 504 provided to the Student's parents, and accompanying transmittal records (e.g. certified mail, email record);
 - v. If the Committee determines that compensatory and/or remedial services are necessary, a copy of the plan or schedule created which ensures that such services will be provided on or before **June 1, 2020**.

b. If compensatory and/or remedial services are deemed necessary by the Committee, by June 15, 2020, the District will provide OCR with documentation that all such services have been provided. Such documentation will include, at a minimum:

- a. The names, titles, and contact information of all staff that provided services;
- b. The dates and times that each type of services was provided;
- c. Copies of documentation generated in the course of providing the compensatory/remedial services (e.g. sign in logs, student work, etc.), if any.

D. EXECUTION

TPSS 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,

TPSS understands that, during the monitoring of this Agreement, if necessary, OCR may visit TPSS, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether TPSS 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.

TPSS 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 TPSS 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 TPSS's representative below.

Authorized Official's Name (Printed)

Authorized Official's Signature
Tangipahoa Parish School System

Date