

# **VOLUNTARY RESOLUTION AGREEMENT**

## **Coppell Independent School District**

**OCR Case Number: 06201163**

The Coppell Independent School District (CISD or 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 CISD. The CISD 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 CISD 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 CISD agrees to the action items below.

### **A. INDIVIDUAL STUDENT REMEDIES**

#### **Action Item:**

1. By **April 17, 2020**, the CISD will convene a Section 504 committee of individuals knowledgeable of the Student identified in the above-captioned complaint, the Student's evaluation data, and placement options. The Section 504 committee will consider whether the Student is in need of any compensatory related aids and services as a result of the CISD's alleged failure to appropriately evaluate the Student's need for related aids and services, and/or as a result of the CISD's alleged failure to provide individually-prescribed related aids and services to the Student during the XXXX XXXX academic year. If determined necessary, 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 **May 15, 2020**, the CISD 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 CISD's determination regarding whether the Student requires compensatory services, including information relied upon by the CISD in reaching its determination. If applicable, the documentation shall also include the CISD's plan, including timeframes, for the provision of compensatory services to the Student. OCR will review the documentation submitted to ensure that the CISD 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 CISD determines that the Student requires compensatory services, then by **September 11, 2020**, the CISD shall provide documentation to OCR evidencing that any

compensatory services determined appropriate for the Student have been provided to the Student.

## **B. STAFF TRAINING**

1. By **May 15, 2020**, the CISD shall ensure that appropriate XXXX XXXX XXXX XXXX staff receives training regarding the CISD's obligations pursuant to Section 504 and Title II. The training will cover, at a minimum, the following:
  - a. The CISD's obligations regarding the evaluation and placement of students who, because of disability, need or are believed to need related aids and services pursuant to Section 504 (including periodic reevaluation of students previously identified as eligible for 504 services);
  - b. The CISD's obligation to provide a free appropriate public education (FAPE) to students with disabilities; and
  - c. The CISD's procedures for ensuring that the related aids and services identified as necessary for a CISD student in a Section 504 Student Services Plan are being provided, including, but not limited to, ensuring that teachers/staff providing related aids and services to 504 students are aware of how the identified accommodations should be provided to the student(s), and procedures for documenting the provision of accommodations identified in students' Student Services Plans.
2. By **May 15, 2020**, the CISD shall ensure that staff working directly with the Student identified in the above-captioned complaint receive training regarding how to meet the individual educational needs of students with XXXX. This training will be provided by an individual with subject matter expertise in the area of XXXX, as well as the District's obligations to provide a FAPE to students with disabilities (including students with a XXXX diagnosis).

### **Reporting Requirement:**

- By **April 17, 2020**, the CISD will submit to OCR, for review and approval, the contents of the training(s) proposed to be conducted for staff pursuant to Action Items B1 and B2. The CISD will provide OCR with the identity and qualifications of the individuals who will be providing the training. If OCR has any proposed revisions to the training contents, OCR will promptly notify the CISD, no later than 15 calendar days after receiving the CISD's report. If the CISD does not receive a response from OCR within 15 calendar days, the CISD may assume that OCR approves the trainings without revision(s).
- By **May 29, 2020**, the CISD will submit to OCR documentation evidencing that the trainings required by Action Items B1 and B2 have been conducted. The documentation

will include the date and time(s) the trainings were conducted, the identity of individuals attending the training by name and title, and a copy of the presentation materials.

### **C. GENERAL PROVISIONS**

The CISD 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 CISD understands that during the monitoring of this Agreement, if necessary, OCR may visit the CISD, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the CISD 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 and 104.35, 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 CISD 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 CISD 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 CISD's representative below.

/s/

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**CISD Superintendent or Designee**

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**Date**