

Resolution Agreement
Leander Independent School District
OCR Complaint No. 06201225

The U.S. Department of Education, Office for Civil Rights (OCR) and the Leander Independent School District (LISD) enter into this resolution agreement (Agreement) to resolve the issue opened for investigation in the above-referenced complaint. 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 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 LISD agreed to resolve this complaint pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, the LISD agrees to take the following actions:

ACTION ITEM I

The LISD will revise its policies and procedures to include a policy regarding the LISD's obligation to provide individuals with disabilities an equal opportunity to purchase tickets for athletic events in accordance with Title II and Section 504, at 28 C.F.R. § 35.138 and 34 C.F.R. § 104.4(a), respectively. The LISD's revised policies and procedures regarding athletic ticket sales shall, in part, reflect that tickets for accessible seats will be sold in the same manner and under the same conditions as non-accessible seats including with regard to the sale of reserved seats.

REPORTING REQUIREMENTS

By June 1, 2020, the LISD will provide OCR, for its review and approval, a draft of its revised policies as referenced in Action Item I above.

Within (60) days of OCR's approval of the revised policies, the LISD will provide documentation to OCR demonstrating it has implemented such policies. The documentation submitted to OCR will include the following: (1) printouts or a link to all online publications of the revised policies; and (2) an e-mail from the LISD superintendent to all LISD staff and parents providing a copy of, or a link to, the revised policies.

ACTION ITEM II

The LISD will provide information to OCR in connection with a training session for LISD athletic directors, deputy athletic directors, LISD high school principals, and LISD Section 504 coordinators (LISD Staff). The training will cover the LISD's obligation to provide individuals with disabilities an equal opportunity to purchase tickets for athletic events in accordance with Title II and Section 504. The training will also cover the LISD's athletic ticket policy approved by OCR under Action Item I. The training will be created by one or more individuals knowledgeable

about the above-mentioned topics and may be delivered to LISD Staff in person or in an electronic format.

REPORTING REQUIREMENTS

By August 15, 2020, the LISD must provide OCR, for its review and approval, the training materials reflecting the topics described in Action Item II that include, 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 copy 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 II, the LISD will conduct the training approved by OCR. The training must be provided to LISD Staff as defined above.

Within ten (10) calendar days after conducting the final training session in accordance with Action Item II, the LISD will provide OCR with documentation demonstrating the training has been completed, including a list containing the printed name, signature, and title of each attendee, 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.

ACTION ITEM III

By August 1, 2020, the LISD will send a letter to the Complainant at the address on file with the LISD via regular mail, delivery tracking, notifying XX---word redacted---XX of the LISD's new athletic ticket sale policy, providing a copy of or link to said policy, and describing how the Complainant can purchase accessible seating, including reserved accessible seating, for the 2020 football season in accordance with Title II and Section 504.

REPORTING REQUIREMENTS

Within five (5) calendar days after the LISD sends the letter described in Action Item III, the LISD must provide OCR a copy of the letter mailed to the Complainant including the address to which the LISD mailed the letter, and delivery tracking information for the letter.

The LISD 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 LISD understands that during the monitoring of the Agreement, if necessary, OCR may visit the LISD, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the recipient has fulfilled the terms of the Agreement. Upon the LISD's satisfaction of the commitments made under the Agreement, OCR will close the case.

The LISD further understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR will 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.

_____/s/_____
Dr. Bruce Gearing, Superintendent
Leander Independent School District

Date