



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

REGION VI
LOUISIANA
MISSISSIPPI
TEXAS

Renaissance Tower
1201 Elm Street, Suite 1000
Dallas, TX 75270

RESOLUTION AGREEMENT
Seguin Independent School District
OCR Complaint No. 06-20-1343

The U.S. Department of Education, Office for Civil Rights, (OCR) and the Seguin Independent School District (the District) enter into this agreement (Agreement) to resolve the above-referenced complaint. The District 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), as amended, 29 U.S.C. § 794, and its implementing regulations, 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 regulations, at 28 C.F.R. Part 35.

A. ACTION ITEMS & REPORTING REQUIREMENTS:

Action Item 1 – Conduct Section 504/Title II Training for Relevant Staff

1. The District will conduct staff training at [redacted content] (the School) regarding the District’s responsibilities under Section 504 and Title II. The training must be provided to all staff at the School, including, but not limited to, administrators, teachers, and counselors. Additionally, the training will be conducted by individuals knowledgeable about the laws and issues pertaining to Section 504 and Title II and may be delivered to District employees in an electronic format and/or multiple sessions. At a minimum, the training will address:
 - a. The District’s responsibility to provide a free and appropriate public education (FAPE) to qualified students with disabilities in the District’s jurisdiction; which includes appropriately identifying, evaluating, and placing students who are believed to need or need special education and related services; providing appropriate regular or special education and related aids and services; and reevaluating a student’s educational placement periodically and with respect to subsequent significant changes in placement; pursuant to the Section 504 and Title II implementing regulations respectively located at 34 C.F.R. §§ 104.33–104.35 and 28 C.F.R. § 35.130; and
 - b. The District’s responsibility to refrain from retaliating against individuals for the purpose of interfering with any right or privilege secured by Section 504 or Title II, or because such individuals raise complaints of disability-based discrimination, pursuant to the Section 504 and Title II implementing regulations respectively located at 34 C.F.R. § 104.61 (incorporating the retaliation language of regulations under Title VI) and 28 C.F.R. § 35.134.

The Department of Education’s mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Reporting Requirements: Action Item 1

- a. **By August 31, 2023**, the District will provide OCR, for review and approval via email prior to conducting the training described in Action Item 1, information regarding such training, including, but not be limited to: a copy of all training modules, handouts, and materials that will be utilized during the training session(s); the name(s), credentials, and contact information of the individual(s) who will conduct the trainings; and a proposed plan(s)/notification(s) that the District will use to inform attendees of the mandatory training session(s) (e.g., topics to be discussed).

- b. **Within sixty (60) calendar days** after OCR approves the training information described in Reporting Requirement (a) for Action Item 1 of this Agreement, the District will conduct the training, as approved by OCR, for all District staff specified in Action Item 1 and will provide OCR with detailed information regarding the training. This information will include, but not be limited to, sign-in sheets for all training session(s) evidencing all staff who attended the training; the date the training session(s) were conducted; a copy of the training materials used; and the name(s), credentials, and contact information of the individual(s) who provided such training.

B. GENERAL TERMS & PRINCIPLES:

The District 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 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 and obligations of this Agreement.

The District also understands that OCR will not close the monitoring of this Agreement until such time as OCR determines that the District is in compliance with the terms of this Agreement and the statutes and regulations at issue in this case.

The District understands that OCR may initiate administrative enforcement proceedings or refer the case to the DOJ for judicial proceedings to enforce the specific terms of the agreement and the applicable statutes and regulations. Before initiating such proceedings, OCR will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

C. EXECUTION:

This Agreement will become effective immediately upon the signature of the District's representative below.

Dr. Matthew Gutierrez, Superintendent
Seguin Independent School District

Date