

**RESOLUTION AGREEMENT**  
**Omaha Public Schools**  
**OCR Case Number 07211261**

The Omaha Public Schools (District), Omaha Nebraska, submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve OCR Case No. 07-21-1208 and ensure the District's compliance with 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. The District voluntarily agreed to resolve this complaint prior to the conclusion of OCR's investigation. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District.

The District agrees to take the following actions:

**IEP MEETING AND COMPENSATORY SERVICES**

1. The District will hold an IEP meeting, during which the District will, at a minimum, take the following actions:
  - a. evaluate what transportation services are appropriate for the Student during the remainder of the 2021-2022 school year;
    - i. if the IEP team determines the student will be provided transportation services during the remainder of the 2021-2022 school year, then develop a plan for providing the transportation services to her; and
  - b. evaluate whether compensatory education services are appropriate for the Student because of the change in transportation services during the 2021-2022 school year, and develop a plan for providing the compensatory education services to her if such services are determined to be needed.

**REPORTING REQUIREMENT:** By no later than March 30, 2022, the District will provide documentation to OCR indicating that the items required by item 1 were discussed. In the event the IEP team determined that transportation or compensatory education services were necessary, District will provide a copy of the plan(s) for providing the transportation and/or compensatory education services and the amount of compensatory education services appropriate for the Student. OCR and the District agree that the final determination regarding transportation services and compensatory services shall be made by the IEP team and that this Resolution Agreement does not contemplate any particular determination by the IEP team.

The District understands that by signing this Resolution Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements set forth in this Resolution Agreement. Further, the District understands that during the monitoring of this Resolution Agreement, if necessary, OCR may visit the District, interview employees and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Resolution Agreement and is in compliance

with the regulations implementing Section 504 at 34 C.F.R. §§ 104.33 and 104.37 and Title II at 28 C.F.R. § 35.130(a), which were at issue in this case.

The District understands that OCR will not close the monitoring of this Resolution Agreement until OCR determines that the District has fulfilled the terms of this Resolution Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§ 104.33 and 104.37 and Title II at 28 C.F.R. § 35.130(a), which were at issue in this case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Resolution Agreement. Before initiating administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Resolution Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

XXXXXX XXXXXX  
Superintendent (or designee)  
Omaha Public Schools

2/18/22  
Date