

RESOLUTION AGREEMENT
Broward County Public Schools, Florida
OCR Docket Number 04-25-1825

The U.S. Department of Education, Office for Civil Rights (OCR) and Broward County Public Schools (District) enter into this Resolution Agreement to resolve the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. 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, as amended, 29 U.S.C. Section 794, and its implementing regulation at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance, and Title II of the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. Sections 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination against qualified individuals with disabilities by public entities, including public education systems and institutions, regardless of whether they receive Federal financial assistance from the Department of Education.

Prior to the completion of OCR's investigation, the District voluntarily agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve the issues in OCR Complaint Number 04-25-1825, the District voluntarily agrees to take the following actions:

ACTION ITEM 1:

By October 15, 2026, the District will evaluate the Student, in accordance with Section 504 and its implementing regulation at 34 C.F.R. Section 104.35 and determine the Student's eligibility for regular or special education and related aids and services.

Reporting Requirements:

By October 29, 2026, the District will provide OCR supporting documentation reflecting that it completed the evaluation of the Student and determined his eligibility under Section 504 in accordance with Action Item 1. The documentation shall include, but is not limited to, a copy of the evaluation results, the minutes from the evaluation/eligibility determination, the information considered, the participants, and any other documentation, including a copy of the Student's Section 504 services plan, if applicable, resulting from the Student's evaluation/eligibility determination. If the parent does not provide required consent and/or does not make the Student available for appropriate assessments during the evaluation process, the District will provide OCR with documentation evidencing its efforts to obtain required consent and the Student's availability to participate in assessments during the evaluation process. The documentation shall include, but is not limited to, correspondence with the parent.

ACTION ITEM 2:

By October 15, 2026, if pursuant to Action Item 1 the Student is found eligible under Section 504, consistent with the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. Sections 104.34, 104.35 and 104.36, and after providing proper written notice to the Student's parent, a group of knowledgeable persons, including the parent if the parent chooses to participate, will determine whether the Student needs compensatory and/or remedial services dating back to February 2025. If so, within seven (7) calendar days of its determination, the group will develop a plan for providing timely compensatory and/or remedial services, with a completion date not to extend beyond December 18, 2026. The District will provide the Student's parent notice of the District's procedural safeguards including the right to challenge the group's determination through an impartial hearing.

Reporting Requirements:

- a. **By October 29, 2026**, the District will provide OCR supporting documentation reflecting the group's decision as to whether compensatory and/or remedial services are needed. The documentation submitted shall include documentation showing the participants in the meeting, including job titles, an explanation for the decisions made, the information considered, and a description of and schedule for providing compensatory and/or remedial services to the Student.
- b. **By January 8, 2027**, if applicable, the District will provide OCR documentation of the dates, times, and locations that compensatory and/or remedial services were provided, a description of what was provided, and the name(s) of the service provider(s).

The District understands that by signing this Agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the District understands that during the monitoring of the 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 of the Agreement. The District understands that OCR will not close the monitoring of the Agreement until such time as OCR determines that the District is in compliance with the terms of the Agreement and the statute(s) and regulation(s) at issue in the case.

The District understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings to enforce the specific terms of the Agreement and the applicable statute(s) and regulation(s). 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.

This Agreement will become effective immediately upon signature of the District's Superintendent or designee below.

/s/

Superintendent or Designee
Broward County Public Schools

June 10, 2026

Date