

RESOLUTION AGREEMENT
Davis School District
Case Number 08-18-1154

Davis School District (District) enters into this agreement to resolve the allegation in the above-referenced complaint. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District assures the U. S. Department of Education, Office for Civil Rights, (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. Section 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. Sections 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

Prior to the completion of OCR's investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issues of this investigation, the District agrees to take the following actions:

1. The District will hold a Section 504 team meeting for the Student, which will include consideration of the appropriateness of compensatory services for any failures to implement the Student's Section 504 plan identified in Complaint 08-18-1154. The District will ensure that the Section 504 team meeting is a team of persons knowledgeable about the Student, the evaluation data, and the placement options. The District will provide the Student's parents with a meaningful opportunity to provide input into these determinations, notice of the determinations made, and notice of the procedural safeguards available to them under 34 C.F.R. § 104.36, including their right to challenge such determinations through an impartial due process hearing should they disagree.

REPORTING REQUIREMENT: Within one month after the execution of this Resolution Agreement, the District will submit to OCR documentation showing implementation of Paragraph 1, including a copy of any meeting minutes, meeting notices, documentation of any input provided by the Student's parents and showing that procedural safeguards were provided to them, and any other documentation relevant to the determinations reached in accordance with Paragraph 1. OCR will review the documentation submitted to ensure that the District met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, in making these determinations, and notify the District when it has completed this review.

2. If the Section 504 team determined that the Student is entitled to compensatory services, the District will take steps to provide services.

REPORTING REQUIREMENT: Within sixty (60) days of the satisfactory completion of the requirements in Paragraph 1, the District will provide

