

**Resolution Agreement
Sacramento City Unified School District
Case Number 09-18-1029**

The Sacramento City Unified School District (District) agrees to implement this Resolution Agreement (Agreement) to resolve the concerns raised during the investigation of the above-referenced case by the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990, as amended (Title II), and their implementing regulations.

I. PROVISIONS

A. Within 40 calendar days of the beginning of the 2018-19 school year, the District will hold a Section 504 team meeting with knowledgeable persons, including the Complainant, with the purpose of considering the appropriateness of the Student's existing Section 504 plan. The 504 team will determine the special education or related aids and services, if any, needed to meet the Student's needs as adequately as the needs of nondisabled students are met.

(A1) Within two weeks of the team's determinations described in provision (A), the District will submit to OCR documents supporting the team's determinations. The documentation submitted shall include any information about evaluation and reports from any evaluation conducted and/or considered as information by the 504 team participants, documentation showing the participants in the meeting, an explanation for decisions made, the information considered, and if determined necessary, a description of Section 504 services for the Student. OCR will review the documentation 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.

B. Within 60 calendar days from the start of the 2018-19 school year, the District will conduct training for School administrators and staff on the District's 504 policies and procedures for providing a free, appropriate public education under Section 504 and Title II.

(B1) The training will cover, but is not limited to, the following:

- i. The definition of an individual with a disability and the definition of major life activities consistent with Section 504 and the Americans with Disabilities Amendments Act of 2008 (ADAA);
- ii. The District and School's responsibility regarding placement procedures to ensure that when employees are involved in interpreting evaluation data and making placement decisions, they draw upon information from a variety of sources, including aptitude and achievement tests, teacher

recommendations, physical condition, social or cultural background, and adaptive behavior; that the placement process ensures that information obtained from all such sources is documented and carefully considered; and that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.

- B(2) Within 30 calendar days from the start of the 2018-19 school year, the District will provide OCR with a copy of the training materials for the training for OCR review and approval, along with providing the name and qualifications of the individual proposed to provide the training.
- B(3) Within 30 calendar days of conducting the training, the District will provide documentation to OCR showing that the appropriate employees have received the training. Documentation shall include name and title of the person who provided the training, training materials used, list of training date(s), a list of attendees, and a list of School staff.

II. MONITORING

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 of this Agreement. Upon the District's satisfaction of the commitments made under the Agreement, OCR will close the case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s/_____
District Superintendent

_____08/17/2018_____
Date