

**Resolution Agreement**  
Huntington Beach City School District  
OCR Case Number 09-18-1440

To resolve the issues identified by the U.S. Department of Education, Office for Civil Rights (OCR), in the above referenced complaint filed by the Complainant on behalf of her child (Student) pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act (Title II), the Huntington Beach City School District (District), without admitting to any violation of law, agrees to take the actions outlined in this Resolution Agreement (Agreement).

**I. Compensatory Education**

- (a) Within 90 days of the date that this Agreement is signed, after providing proper written notice to the Student's parent/guardian, a group of knowledgeable persons, including the parent/guardian, will determine whether the Student needs compensatory and/or remedial services as a result of the District's failure to provide appropriate regular and/or special education or related services from February 26, 2016 until June 18, 2018. If so, within one week 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 June 18, 2019. The District will provide the Student's parent/guardian notice of the procedural safeguards including the right to challenge the group's determination through an impartial due process hearing.
- (b) Within two weeks of the decision as to whether compensatory and/or remedial services are needed, the District will submit to OCR documents supporting the group's decision. The documentation submitted shall include documentation showing the participants in the meeting, the information considered, an explanation for decisions made, and a description of and schedule for providing any compensatory and/or remedial services (if any) to the Student. OCR will, prior to approving the District's decision and plan for providing the proposed services, review the documentation to ensure that the District met the requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, and, as applicable, Title II, at 28 C.F.R. 35.160, in making these determinations.

**II. Staff Training**

- (a) Within 30 days of the date that the Agreement is signed, the District will provide to OCR for review and approval a copy of the materials to be used for Section 504 trainings for school site and District level staff.
- (b) Within 90 days of the approval of the training materials, the District will provide Section 504 training for the school site staff (including administrators) to ensure understanding and compliance of 504 policies and procedures.
- (c) Within 90 days of the approval of the training materials, the District will provide training at a District Leadership meeting which includes management positions, administrative positions, and school staff such as psychologists.

- (d) Within 14 calendar days of the aforementioned trainings, the District will provide to OCR documentation from the trainings, including the names and titles of the individuals conducting the trainings, a copy of the materials provided during the training, and an attendance list for all individuals attending the training.

**III. Section 504 Forms and Procedures**

Within 30 days of the date that the Agreement is signed, the District will provide to OCR for review and approval it's updated 504 forms and procedures. Within 30 days of OCR's approval, the District will provide documentation showing that the new procedures were implemented and the forms operational.

**IV. Monitoring**

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the District understands that during the monitoring of this Agreement, 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 and is in compliance with Section 504 and Title II, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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 Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

07/12/2018

Date

/s/

Authorized Official  
Huntington Beach City School District