

**Resolution Agreement  
San Dieguito Union High School District  
Case Number 09-20-1380**

The San Dieguito Union High School District (District), without admitting to any violation of law, agrees to implement this Resolution Agreement (Agreement) to resolve the compliance concerns identified 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 in the above-referenced OCR case number.

**I. INDIVIDUAL PROVISIONS**

- A. By April 15, 2021, after providing proper written notice to the Student's parent/guardian, a group of knowledgeable persons, including the parent/guardian, will meet. This meeting will review the accommodations/services/supports in the Student's Section 504 Plan and related services as described in Appendix A. This meeting will include determining whether there are ways in which the Student could make up assignments or tests to improve his grade for those specific classes referenced in Appendix A, or the necessity of compensatory and/or remedial educational services for the Student (herein "agreed action"). The District meeting participants, after carefully considering information from a variety of sources including the parent/guardian, will reach a determination, and within one week of that determination, the group will develop a plan for providing any "agreed action" that is part of this determination with a completion date not to extend beyond June 30, 2021. 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.

**Reporting Requirements**

- B. Within two weeks of the determination of whether "agreed action" is 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 the plan for the "agreed action" (if any) for 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 regulations 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.
- C. Within two weeks after any "agreed action" has been provided to the Student, the District will provide documentation to OCR of the dates, times and location that "agreed action" services were provided, a description of what was provided, and the name(s) of the service provider(s).

## II. MONITORING

The District understands that by signing the resolution agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the District understands that during the monitoring of the resolution 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 and obligations of the resolution 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 proceedings to enforce the specific terms and obligations of the resolution agreement and/or 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.

\_\_\_\_\_/s/\_\_\_\_\_  
[Signature]  
Robert A. Haley, Ed.D. Superintendent  
San Dieguito Union High School District

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Date 03/15/2021

### **Appendix A**

The determination will be based on a review of the accommodations/services/supports in the Student's Section 504 plan dated September XX, 2019 applicable during each time period, and must include (1) a determination about how the accommodation of extended time on assignments as mutually agreed upon between teacher and Student was understood to apply to future and to missed assignments, during these time periods and in these classes; and (2) a determination about whether the accommodation of extended time on assignments as mutually agreed upon between teacher and Student was implemented, during these time periods, in these classes:

- (1) "Extended time on assignments as mutually agreed upon between teacher and Student" from September XX, 2019 through January XX, 2020, in AP XXXXXX.
- (2) "Extended time on assignments as mutually agreed upon between teacher and Student" from September XX, 2019 through March X, 2020, in English XXX.