

**Resolution Agreement
El Dorado Union High School District
Case Number 09-22-1192**

The El Dorado 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. PROVISIONS

- A. Within two weeks after this Agreement is signed by the District, the District will use its best efforts to obtain information from a variety of sources to use as part of interpretation of evaluation data and of decisions about the placement of the Student, including information from the Student's treating XXXXXX.

- B. Within 30 days of the beginning of the 2022-23 school year, after providing proper written notice to the parent, an Individualized Education Plan team (IEP team) with a group of knowledgeable persons, including the parent/guardian, will meet to determine using information from a variety of sources the appropriate placement of the Student. The District will provide the parent notice of the procedural safeguards including the right to challenge the IEP team's determination regarding placement through an impartial due process hearing.

Reporting Requirements

- 1. If, within two weeks after this Agreement is signed by the District, the District is unable to obtain information from the Student's treating XXXXXX, the District will submit to OCR within three weeks after this Agreement is signed, documentation supporting the District efforts to do so.

- 2. Within two weeks of the IEP meeting taking place, the District will submit to OCR documents supporting the IEP team's placement decision for the Student. The documentation submitted shall include documentation showing the participants in the meeting, the information considered, including any specific information from the Student's treating XXXXXX, and an explanation for decisions made. OCR will, prior to approving the District's placement decision, 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 this determination.

II. MONITORING

The District understands that by signing the Agreement, it 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 and obligations of the Agreement. The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has demonstrated compliance with all of the terms of this Agreement and is in compliance with Section 504 and Title II, and their implementing regulations, e.g., 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue in this 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/_____
Superintendent
El Dorado Union High School District

Date