

VOLUNTARY RESOLUTION AGREEMENT

Seattle School District (District) enters into this agreement (Agreement) to resolve an allegation in a complaint (OCR Reference No. 10191180) filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504) and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II) and its implementing regulation at 28 C.F.R. Part 35.

I. TRAINING

- A. The District will conduct training for school administrators as well as general education teachers of advanced placement and honors classes at xxxxxxxxxx on the requirements of Section 504 and Title II regarding the provision of a free appropriate public education (FAPE) to students with disabilities, and specifically with respect to ensuring that the District does not discriminate against students with disabilities, as prohibited by Section 504 and Title II, with respect to providing any special education and related services deemed necessary to provide a student with a disability a FAPE.

Reporting Provision:

- B. By October 25, 2019, the District will submit a draft training plan to OCR for its review and approval. The training plan will include, at a minimum, proposed time(s) and date(s) for the training, a detailed description or lesson plan for the training, any handouts or presentation slides proposed for the training, the job titles of the persons who will be invited to the training, and the name and qualifications of the trainer(s). If OCR requires changes to the training plan, the District will re-submit the training plan within 30 calendar days of receiving notice of the required changes. The District and OCR will continue this process until OCR approves the training.
- C. Within 45 calendar days of receiving OCR's approval of the training, the District will provide OCR with documentation that confirms that it conducted the training consistent with the approved training plan. If any of the required staff did not attend the training, the report will also contain the plan to provide the training to the remaining staff.

II. INDIVIDUAL STUDENT

- A. The District will schedule and hold a meeting of the IEP team for the student who was the subject of this complaint (Student A) in order to determine whether Student A was provided specific accommodations and provisions in his AP World History Class 3 (AP Class) during the first semester of the 2018-2019 school year, as set forth in his IEP for the 2018-2019 school year (IEP). Specifically, the IEP team will determine if the following accommodations and provisions in the IEP were provided in the AP Class during the first semester of the 2018-2019 school year:
1. Allowed for more than one response type: oral, written or other response to meet standard (daily, in general education classes)
 2. Alternate response options (during testing, at testing locations)
 3. Content Area: for all assignments and assess[ments] in general education, mastery of standard/learning goal, with a reduction in volume (daily, in general education classes)
 4. Content Area: total amount of homework across all classes will be limited to no more than 120 minutes/night (daily, in general education classes)

5. For all subject areas and assignments, [Student A] is provided with a rubric that describes what a successful assignment contains (daily, in general education classes)
 6. Those portions of Student A's IEP concerning supports for school personnel listed on pp. 30 and 36 of the IEP.
- B. In reviewing the nature and extent of how/whether Student A was provided the above-listed accommodations and provisions during the first semester of the 2018-2019 school year in the AP Class, Student A's IEP team will consider:
1. what impact, if any, the District's implementation of the above-listed accommodations, or the failure to implement them, had on Student A's grade and on Student A's receipt of a FAPE in the AP Class;
 2. the nature and extent the class content and/or curriculum was modified pursuant to the District's implementation of the above-listed accommodations and provisions and whether, in consequence of those modifications, the current class designation of "World History 3" needs to be amended.
- C. If it is determined by the IEP team that Student A's grade in the AP Class was negatively impacted by the District's implementation or non-implementation of the above-listed accommodations and provisions, and has not yet been remedied, that Student A was not provided a FAPE in the AP Class, and/or that the current class designation of "World History 3" needs to be amended, the District will draft a plan to address Student A's grade, his receipt of FAPE, and/or the class designation, as applicable. This decision will first be reported to OCR, as outlined in Section II.F, prior to being offered to Student A's parents pursuant to Section II.D.
- D. Following OCR's approval of the District's report (see Section II.F), the District will make an offer to Student A's parents to implement its plan for addressing Student A's grade, his receipt of FAPE in the AP Class and/or the class designation for the AP Class, as applicable.
- E. If Student A's parents accept the District's offer to implement its plan, the District implement its plan.

Reporting Provision:

- F. By November 22, 2019, the District will submit to OCR a report establishing that the District convened a meeting of Student A's IEP team and determined whether Student A's grade in the AP Class, receipt of FAPE in the AP Class and/or class title designation for the AP Class necessitate amending, as required by Sections II.A, II.B, and II.C. The report will include a description of the District's decision-making process regarding Student A's grade, receipt of FAPE, and the class designation, and the results of the District's decision. If OCR requires changes to the report, the District will re-submit the report within 30 calendar days of receiving notice of the required changes. The District and OCR will continue this process until OCR approves the report.
- G. Within 30 days of receiving OCR's approval of the report, the District will submit a report to OCR demonstrating that: 1) the District offered to implement its plan contained in the report, if any, to the parents of Student A; and 2) the District provided the parents no less than 14 days to respond to the offer. The report will contain the parents' response, if any. If the parents did not accept the District's offer to implement the plan, or if the

parents did not respond to the offer within the designated time frame, the District will not be responsible for implementing the plan contained in the approved report.

- H. If the parents accept the District's plan contained in the approved report, within 15 days of the parents' acceptance, the District will provide documentation to OCR establishing that it implemented its plan.

III. GENERAL MONITORING PRINCIPLES

- A. This Agreement resolves the allegations in OCR Reference No. 10191180 and does not constitute an admission by the District of any violation of Section 504, Title II, or any other law.
- B. OCR agrees to discontinue its investigation of OCR Reference No. 10191180 based on the District's commitment to take the actions specified in this Agreement which, when fully implemented, will resolve the allegations in this case.
- C. The District understands that by signing this Agreement, it agrees to provide OCR 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 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 this Agreement, OCR will close this case.
- D. 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 under 34 C.F.R. §§ 100.9 and 100.10, or judicial proceedings, including 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.

Signed:

/s/

9/28/19

Denise Juneau
Superintendent
Seattle School District

Date