

**U.S. Department of Education
Office for Civil Rights**

**Resolution Agreement
San Dieguito Union High School District
Case Number 09-14-1077**

In order to voluntarily resolve the issues in the above-referenced complaint, the San Dieguito Union High School District (District), without admitting any violation of law, agrees to implement this Resolution Agreement. The complaint was filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990.

A. Provisions

1. The District will establish a policy that will serve to clearly communicate to the general public, including parents/guardians, who attend any District sponsored program, service, or activity, the District's procedure on requesting and accessing sign language interpreter services and other auxiliary aids and services needed for effective communication to qualified persons who are deaf or hard of hearing (hereinafter, the policy).
2. The policy will include a means for requesting and accessing sign language interpreter services and other auxiliary aids and services needed for effective communication to qualified persons who are deaf or hard of hearing. The policy will include the method in which such a request may be made, including who, where, and how the request must be made.
3. The District will provide appropriate auxiliary aids and services leading to effective communication for qualified persons who are deaf or hard of hearing, except when doing so would impose an undue burden or would fundamentally alter the nature of the District's program, service, or activity. The District will consider the nature, length, complexity, and context of the communication and individual's normal method(s) of communication.
4. Once adopted, the District will notify all District and school site administrators, teachers, staff, parents/guardians, and the general public on the new policy. The District will use a variety of means to disseminate the policy, including to persons with disabilities, such as through the District's website, newsletters, and bulletin boards.
5. The District will reimburse the complainant for the cost of the American Sign Language (ASL) interpreter who attended the high school graduation ceremony in June 2013.

B. Reporting

1. No later than June 20, 2014, the District will send OCR a draft of the proposed policy. OCR will review the proposed policy and provide further feedback or approval within 30 days of receipt.

2. No later than 60 business days after OCR approves the policy, the District will adopt and implement. No later than 30 days after implementation, the District will provide OCR with documentation showing that the policy has been adopted and implemented.
3. By October 10, 2014, the District will provide documentation to OCR to show that the District published information on the new policy, as required in item A.4 above.
4. No later than thirty days following the District's receipt of documentation from the complainant showing the fees paid to the ASL interpreter, the District will reimburse the complainant the amount she paid and provide to OCR documentation of such payment.

C. Monitoring

1. The District understands that OCR will not close the monitoring of this agreement until OCR determines that the District has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§ 104.4, and Title II regulations, at 28 C.F.R. §§ 35.130 (b) which were at issue in this case.
2. The District understands that by signing this Agreement, they agree 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 and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§ 104.4, and Title II at 28 C.F.R. § 35.130(b), which were at issue in this case.
3. 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 a minimum of sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Superintendent

_____5/27/2014_____
Date