

**RESOLUTION AGREEMENT**  
**Folsom Cordova Unified School District**  
**OCR Compliance Review Number 09-19-5002**

The Folsom Cordova Unified School District (District) agrees to resolve the above-referenced compliance review initiated by the U.S. Department of Education, Office for Civil Rights (OCR), by voluntarily entering into this Resolution Agreement (Agreement) to address the violations and compliance concerns OCR identified in the above-referenced case number. In this compliance review, OCR investigated whether the District's use of restraint and seclusion denied its students with disabilities a free appropriate public education (FAPE) in violation of the District's obligation to comply with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, its implementing regulation, 34 C.F.R. Part 104, Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12101 *et seq.*, and its implementing regulation, 28 C.F.R. Part 35.

The District agrees to take the actions in this Agreement to ensure compliance with Section 504 and Title II, which prohibit discrimination on the basis of disability by recipients of federal financial assistance and public entities, respectively.

**I. INDIVIDUAL STUDENT REVIEWS AND REMEDIAL SERVICES**

- A. By April 12, 2024, for each currently enrolled student who experienced a restraint or seclusion at a District School or a Nonpublic School (NPS) during the review period (the 2017-2018 and 2018-2019 school years), the District will convene the student's Individualized Education Program (IEP) team or Section 504 team to determine (1) if the student's current interventions and supports are sufficient or whether any changes are needed to provide a FAPE and (2) whether the student requires any compensatory services for a denial of a FAPE or other instructional services missed as a result of restraint or seclusion during the review period or any subsequent school year. In making these two determinations, the team will apply appropriate criteria, including, for example: (1) the number of restraints and/or seclusions that took place in a school year and the timeframe within which they occurred; (2) the nature and length of each restraint and seclusion; (3) changes in the student's behavior(s) that result in the use or increased use of restraint and seclusion; (4) if applicable, the nature of the student's disability; (5) whether the student was restrained and/or secluded in violation of District policy or the Student's IEP or 504 Plan (e.g., mechanical or prone restraint); (6) the extent of missed instructional time and/or educational services as a result of the staff restraining or secluding the student, and (7) any other factor that is relevant to the determination(s) (e.g., any trauma the student experienced due to restraint and/or seclusion).
- B. For each team meeting required by Section I.A, the District will do the following:
1. The District will ensure that the team convened is a group of persons knowledgeable about the student, the evaluation data, and the placement options, including the student's parent(s).<sup>1</sup> The information about the placement options will include whether the placement options use restraint or seclusion and if so, when and how.

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<sup>1</sup> For ease of reference, the term "parent" in this document refers to any and all parents, guardians, custodians, Education Rights Holders, or others with legal custody and/or educational decision-making authority.

2. The District will ensure that the team makes an individual assessment of the amount of compensatory services appropriate for the student. If appropriate, the team will revise the student's IEP or Section 504 plan and will develop a written plan for providing the student with the compensatory education or other remedial services deemed necessary. The District will include the plan with the student's Section 504 plan or IEP and will identify the nature, amount, and provider of the services to be delivered at no cost to the student's parent. The District will promptly provide the services at no cost to the student's parent before the end of the 2023-2024 school year, unless the team determines that additional services beyond the 2023-2024 school year are appropriate to meet the student's individual needs.
  3. The District will provide the Student's parents with a meaningful opportunity to provide input into these determinations, written notice of the District's determinations, and notice of the procedural safeguards available to them under 34 C.F.R. § 104.36, including their right to challenge such determinations through an impartial due process hearing should they disagree with the District's determinations.
- C. By June 28, 2024, after completing the meetings required in Sections I.A and I.B, the District will evaluate the results of those meetings and propose a plan for OCR's review and approval to determine whether any other student was denied a FAPE due to the District's or an NPS's use of restraint or seclusion in the 2019-20, 2020-21, 2021-22, or 2022-23 school years and what, if any, compensatory services are owed to those students. Once that plan is approved by OCR, the District will provide all required compensatory services.

#### **D. REPORTING REQUIREMENTS**

1. By June 28, 2024, the District will submit to OCR documentation showing implementation of Sections I.A and I.B above, including a copy of any meeting minutes, any IEPs and/or Section 504 plans revised or developed for the students, and any compensatory education services plans and documentation of any evaluations conducted, any input or concerns provided by the student's parent(s), written notice of the District's determinations and the procedural safeguards to the student's parents, and any other information relevant to the District's determinations. OCR will review the documentation submitted to ensure that the District met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.33-104.36, in making these determinations.
2. By June 28, 2024, the District will submit to OCR documentation verifying the implementation of all compensatory education services plans developed under Section I.B above.
3. By June 28, 2024, the District will submit to OCR the plan described in Section I.C for OCR's review and approval.
4. By December 15, 2024, the District will provide OCR with all documentation (including all relevant documents listed in Section I.D.1) showing that the approved

plan described in Section I.C has been implemented and that all compensatory services have been delivered pursuant to the plan.

## **II. POLICIES AND DOCUMENTATION**

- A. The District will draft a District board policy and revise its administrative regulation regarding behavior interventions for special education students to ensure that the policy and regulation:
1. explain that the use of restraint and seclusion of students with disabilities is subject to the provisions of Section 504, Title II, and their implementing regulations;
  2. prohibit the use of restraint and seclusion on students with disabilities: (a) for behavior(s) that would not result in restraint or seclusion for students without identified disabilities; or (b) based on assumptions or stereotypes about disabilities or students with disabilities generally;
  3. require discontinuing a restraint and seclusion as soon as the imminent risk to the safety of the student or others has dissipated;
  4. permit only personnel trained in the safe and effective use of restraint and seclusion to use either technique on students;
  5. require documenting all uses of restraint and seclusion in a manner that is consistent with the documentation required by Section VI of this Agreement;
  6. require school staff to notify a student's parent (in a language they understand) on the same day that the restraint or seclusion is used, unless same-day notice is impracticable, in which case notice must be provided by noon on the following day;
  7. require the District and its schools to determine whether additional or different interventions or supports and services may be needed to reduce the use of restraint and seclusion (e.g., positive behavioral interventions and supports (PBIS), de-escalation techniques, functional behavioral assessments (FBAs), behavioral intervention plans (BIPs), a broad continuum of placements);
  8. identify the criteria the District will use to determine when, after instances of restraint or seclusion, the District will:
    - a. reconvene a student's IEP team or Section 504 team to determine whether the student should be reevaluated and if the student's current interventions and supports are sufficient or whether any changes are needed; or
    - b. evaluate a student without an identified disability to determine if the student qualifies as an individual with a disability;

9. describe the District policy for the use of time away for students with disabilities, including: a definition of time away;<sup>2</sup> a description of when, how, and why time away may and may not be used for students with disabilities; that use of time away for students with disabilities must be determined by an IEP or Section 504 team and be documented in a student's IEP, Section 504 Plan, or behavior plan; that use of time away for students with disabilities is subject to the provisions of Section 504 and Title II, and that use of time away shall not interfere with students' ability to receive a FAPE.
  10. require the District and its schools to take individualized measures to address any negative effects of restraint or seclusion on a student, including potential compensatory services or other remedial measures, and to document such measures;
  11. require District schools to notify the District's Director of Special Education (or a qualified designee) in writing of each restraint and seclusion within 24 hours where practicable and by no later than the close of the next business day;
  12. require the District's Director of Special Education (or a qualified designee) to review every restraint or seclusion of a District student within a designated timeframe; and
  13. provide the contact information (phone number, office address, and e-mail address) of the District's Director of Special Education (or a qualified designee) who will serve as a point of contact for individuals who have any questions or desire information about the District's policies or use of restraint or seclusion with District students.
- B. The District will update its Special Education Procedure Manual to address the use of time away to include the following items:
1. The District's policy for the use of time away for students with disabilities as described in Section II.A.9.
  2. That IEP or Section 504 teams should discuss, at meetings, any use of time away that has happened since the team previously met.
  3. That when there is repeated use of time away, the IEP or Section 504 team will conduct a review, and if appropriate, will revise strategies currently in place to ensure the student is not denied a FAPE.
  4. A description of what information staff must document during and after use of time away.
  5. A description of when time away must be reported to the District office.
  6. How the District's procedures on time away apply to District students in NPS placements.

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<sup>2</sup> For purposes of this Agreement, "time away" includes any referral or placement of a student alone or with others in a room or area from which the student is physically prevented from leaving, including, but not limited to, timeouts and seclusion rooms.

7. A District point of contact for District staff or parents for questions regarding the District's use of time away for students with disabilities.
- C. The District will revise its Behavior Emergency Report (BER) form to ensure that the following information is captured and/or included (in addition to what the BER currently captures):
1. The total amount of time the student spent away from the classroom, including before an emergency intervention, after an emergency intervention, and during recovery time. If the emergency intervention occurred in a specifically designated time-away space, a description of the space, whether the student was prevented from leaving the space via a locked door or otherwise (e.g., staff blocked the Student's exit from the space), and the amount of time the student spent in the time-away space. If the time away was not in a specifically designated time away space, the location will be described.
  2. The type of behavior plan (e.g., BIP, Behavior Support Plan (BSP), etc.), if any, the student had in place at the time of the emergency intervention.
  3. A detailed description of which provisions of the student's behavior plan, if any, were attempted and/or implemented and at which point(s) throughout the entire incident, including prior to the emergency intervention and subsequent to the entire incident.
  4. Dates and initials by Student Support Services office staff of when the BER was received by the District office and when the BER was logged in the District's emergency intervention tracking spreadsheet/database.
  5. A place on the BER form to indicate whether there were multiple emergency interventions as part of the same incident, and a statement that if additional emergency intervention(s) occur as a result of the incident, District employees (and NPS staff when District students are in the care of such staff) must complete separate BERs for each emergency intervention, and the student's IEP and/or 504 team must review the BERs collectively as part of a review of the incident.
  6. A statement of the criteria described in Section II.A.8.a that the District will use to determine when, after emergency interventions, the District will reconvene a student's IEP or Section 504 team to determine whether the student should be reevaluated and if the student's current interventions and supports are sufficient to provide a FAPE or whether any changes are needed to provide a FAPE, and a space on the BER form where the District must explain why it did not convene an IEP or Section 504 team after emergency interventions, including restraint and seclusion, were used with a student.
- D. The District will draft written instructions for completing, logging, and reviewing BERs.
- E. The District will also update its Special Education Procedure Manual to incorporate the District board policy and administrative regulation addressed in Section II.A and to incorporate the BER, as updated pursuant to Section II.C.

#### **F. REPORTING REQUIREMENTS:**

1. By December 1, 2023, the District will provide OCR with the documents described in Sections II.A for OCR's review and approval.
2. Within 60 calendar days of OCR's approval of the documents described in Section II.A, the District will submit the documents described in Items II B-E.
3. Within 30 calendar days of receiving OCR's final approval of each of the documents described in Sections II.A-E, the District will provide OCR with documentation reflecting that it has: formally adopted and implemented the documents; distributed the documents to the relevant District staff members; provided the documents, as necessary, to the NPSs; and posted the board policy and administrative regulation on the District's website.

#### **III. STAFF TRAINING**

- A. Within 60 calendar days of OCR's approval of the policies in accordance with Item II F, the District will provide a draft of the training material(s), the title(s) and name(s) of the proposed trainer(s) for the training, and proposed date(s) for the training for OCR's review and approval.
  1. The training will cover the following topics, at a minimum:
    - a. the provisions of the District's policy regarding the use of restraint and seclusion approved under Section II.A above, including an explanation of the limited circumstances when the use of restraint is permissible under this policy;
    - b. the record creation and maintenance process approved under Section VI below;
    - c. how and when staff are expected to complete a BER, how each section of the BER is relevant to ensuring that students with disabilities are not denied a FAPE, and written instructions for completing the BER described in Section II.C above;
    - d. the Special Education Procedure Manual regarding the use of time away as described in Section II.B above;
    - e. safety protocols related to use of restraint and seclusion;
    - f. how to reduce reliance on restraint and seclusion and identify alternatives;
    - g. how the restraint or seclusion of a student with a disability can result in a student being denied FAPE; the FAPE related requirements of the Section 504 regulation at 34 C.F.R. §§ 104.33-104.36, and with particular attention to §§ 104.34, 104.35(b), and 104.35(c);
    - h. when to reconvene an IEP or Section 504 team to determine whether the use of restraint or seclusion has affected the student's receipt of a FAPE, and when to reevaluate a student and/or determine if any additional aids and services are

appropriate to provide a FAPE and reduce incidents of restraints and seclusions;

- i. that a school's repeated use of restraint or seclusion of a student with an identified disability may suggest that the student's current array of regular or special education and related aids and services is not sufficient to provide FAPE;
  - j. how discussion of restraints during IEP or Section 504 meetings should be documented in the IEP or Section 504 meeting notes;
  - k. the types of behavior plans the District and NPSs use, including the difference between a BIP and each other type of behavior plan;
  - l. the District's obligation to remedy any denial of a FAPE that resulted from the prior use of restraint or seclusion, including the duty to provide compensatory services for services missed during periods of restraint and/or seclusion; and
  - m. how District staff and parents can report concerns about the use of restraint or seclusion, including how and whether it is being recorded; the name(s), title(s), and contact information (phone number, office address, and e-mail address) to whom concerns should be reported; and how the District will respond.
- B. Beginning with the 2024-2025 school year and annually thereafter, the District will provide interactive training in accordance with Section III.A to all District teachers and administrators (i.e., principals, assistant principals, etc.), the Director of Special Education, program specialists within the Department of Special Education, school resource officers, and any other District staff who are members of IEP and Section 504 teams. The training will be provided by one or more trainers with expertise in the use of restraint and seclusion and Section 504 and Title II.
- C. When a District student's IEP team or Section 504 team determines that an appropriate public education alternative does not exist within the District's schools, and that placement in a NPS is appropriate for that student, the District will ensure that, prior to placing the student at the NPS, the NPS personnel working with the student have received the training required by Section III.B above. Where that training is not possible, the District will ensure that prior to placing the student at the NPS, the NPS personnel working with the student complete training that addresses the FAPE-related requirements of Section 504, the District's policy on restraint and seclusion and time away, and the need to document every restraint and seclusion or time away of District students, including on the form required by this Agreement wherever contractually possible.
- D. The District will conduct the training described in Section III.B on an annual basis, between August and November of each year, until OCR has determined that the District has fully complied with this Agreement.
- E. REPORTING REQUIREMENTS**
1. Within 15 calendar days of conducting the annual training described in Section III.B, the District will provide OCR documentation showing that the training occurred,

including attendance lists (name, title, and school name), the training date(s), and the length of the training.

2. No less than 45 calendar days prior to the scheduled trainings described in Section III.C, the District will provide OCR a draft of the training material(s), the title(s) and name(s) of the proposed trainer(s) for the training, and scheduled date(s) for the training, for OCR review and approval.
3. Within 15 calendar days of conducting the trainings described in Section III.C, the District will provide OCR documentation showing that the training occurred, including attendance lists (name, title, and school name), the training date(s), and the length of the training.

#### **IV. NOTICE TO NONPUBLIC SCHOOLS OF REVISED DISTRICT POLICY**

- A. Within 30 calendar days of formal adoption of the revised policy described in Section II.A above, the District will provide a copy of the revised policy to any nonpublic school (NPS) providing special education services to students with disabilities residing within the District who are placed at the NPS, and the District will communicate to the director of the NPS that the NPS must abide by the restraint and seclusion terms of the revised policy with regard to students residing within the District.
- B. The District will ensure that prior to entering into any new contractual relationship with the NPS, the District provides a copy of its revised policy described in Section II.A above and ensures that the Individual Service Agreement requires the NPS to comply with the restraint and seclusion terms of the revised policy with regard to any District students with disabilities placed at the NPS.
- C. The District will ensure that any contract with the NPS requires it to send an emergency report to the District's Director of Special Education, the administrator on the Student's IEP Team or Section 504 Team, and any District student's Education Rights Holder within 24 hours of the NPS's use of a restraint or seclusion on a District student.

#### **D. REPORTING REQUIREMENTS**

1. Within 30 calendar days of completing Section IV.A above, the District will provide to OCR documentary evidence that the District has provided a copy of the revised policy to each NPS contracting with the District to provide services to students with disabilities and communicated to the NPS that it must comply with the restraint and seclusion terms of the revised policy.
2. At the end of each school year during the course of this Agreement, the District will provide OCR with documentary evidence that the District has provided a copy of the revised policy described in Section IV.A above to any new NPS providers with whom the District has an Individual Service Agreement during the course of the school year to provide services to students with disabilities as required by Section IV.B above.

## **V. MONITORING THE USE OF RESTRAINT AND TIME AWAY**

- A. The District will implement a program to monitor the use of restraint and seclusion and/or time away for District students to ensure compliance with Section 504 and Title II in SY 2023-24 and thereafter for the duration of this Agreement. Each semester, the District's Director of Special Education (or a qualified designee) will:
1. review all BERs to ensure that they are completed in accordance with the instructions described in Section II.C, promptly submitted to the District office, and that any additional information gathered about the behavioral emergency from the school or NPS (by phone, email, or in-person) is documented, attached to the BER, and included in the student's file;
  2. regularly ensure that all staff who must review BERs (e.g., a student's behavior specialist, an NPS coordinator, etc.) receive a copy of the BER and review it;
  3. regularly ensure that District staff contact NPSs to confirm that the District has received all BERs for District students placed at an NPS;
  4. review time away logs and other time away documentation and ensure that they are consistently maintained and completed;
  5. review all incidents involving the restraint and seclusion of District students, including at any NPS, to determine if the use of restraint or seclusion reflected an individualized determination based on the student's need and was consistent with District policy and related training;
  6. analyze whether the behavior(s) that led to the restraint and/or seclusion of a student were part of a pattern of behavior(s) that should have led District staff or NPS staff to seek an evaluation or reevaluation of the student;
  7. if applicable, assess if the student's IEP or Section 504 team considered whether the student's current regular or special education and disability-related aids and services provided the student with a FAPE; and whether the restraint and/or seclusion caused missed instruction and/or disability-related services resulting in the denial of a FAPE, and, if so, whether compensatory education and/or remedial services are necessary to address the denial of a FAPE;
  8. review all restraint and seclusion forms to ensure that District staff and NPS staff properly complete the required forms;
  9. identify all concerns related to the District's or NPS's use of restraint and/or seclusion or time away, propose recommendations to address any concerns, and develop timelines for implementation of the recommendations; and
  10. conduct an onsite visit of any NPS (a) before placing a District student at the NPS, including interviewing NPS staff about their use of restraint and seclusion and/or time away, observing any rooms used for seclusion or time away, and obtaining a copy of all NPS policies, procedures, forms, and training about restraint and seclusion; and

(b) whenever an NPS, a parent of a District student placed at an NPS, or other interested stakeholder (e.g., a group home where a District student placed at an NPS resides) reports (1) a restraint or seclusion of a District student that raises concerns under the Student's IEP, Section 504 Plan, and/or BIP or the District's or NPS's policies or training; or (2) the repeated use of restraints and/or seclusions of a District student placed at an NPS.

#### **B. REPORTING REQUIREMENTS:**

1. By December 1, 2023, the District will provide documentation of its proposed monitoring program developed under Section V.A to OCR for its review and approval.
2. By February and July of each school year, the District will provide a report to OCR demonstrating that the District's Director of Special Education (or a qualified designee) completed the semester review required by Section V.A. The District's report will identify all students who were subjected to restraint and/or seclusion during the semester reviewed, and for each such student specify: (a) the student's school; (b) whether the student has an IEP or 504 Plan; (c) the number of restraints and/or seclusions; (d) whether any restraints and/or seclusions resulted in physical injury to the student; (e) the total number of minutes that each student spent in restraint and/or seclusion during the semester; (f) whether the student was evaluated or reevaluated as a result of the use of restraint and/or seclusion; and (g) if applicable, the date of the student's evaluation or reevaluation. The District's report will also describe any instances in which time away was used with District students in a manner that was not compliant with the District's policy on time away described in Section II.A.9 and II.B above. If OCR requests any student records for students included in the report, the District will provide such records within 15 calendar days of such request.

#### **VI. THE CREATION AND MAINTENANCE OF RECORDS**

- A. The District will develop and implement a revised process to create and maintain records about the use of restraint and seclusion of District students, including District students placed at any NPS, as follows:
  1. The District will ensure that its records concerning restraint and seclusion are revised as necessary to accurately capture all data that it is required to submit through the Civil Rights Data Collection (CRDC) survey. The District will record as "restraint" or "seclusion" all such interventions for District students, including District students placed at a non-District school, that fall within the definitions of the terms "physical restraint," "mechanical restraint," or "seclusion" in the directions for completing OCR's CRDC survey, regardless of the duration of those interventions or how those terms are defined under California law, in District materials, or through District practices.
  2. In addition to documenting each restraint and seclusion on the BER form described in Section II.C, the District will document (a) any evaluations to determine if a restrained or secluded student has a disability, and the outcome of those evaluations;

- (b) any meetings of the Section 504 team or IEP team following the restraint or seclusion of a student with a disability; (c) any reevaluations of restrained or secluded students with disabilities; (d) any revisions to the student's Section 504 Plan, IEP, and/or BIP; and (e) any compensatory services provided to the student.
3. The District will ensure that all forms and documentation required by Sections VI.A.1-2 become part of the Student's records so that any member of the IEP team or Section 504 team can access the records.
  4. The District will make the records described in Sections VI.A.1-2 available to parents upon request to the extent necessary to allow parental participation consistent with the procedural requirements of Section 504.
  5. For the 2023-2024 and 2024-25 school years, including extended school years, by September 1 of each year, the District will submit to OCR a report of the District's use of restraint and seclusion with District students, including District students placed at an NPS, for the preceding school year ("the Report"). The Report will include:
    - a. a copy of each completed BER form required by Section II.C;
    - b. the manner in which the District provided a FAPE to all students with disabilities who were restrained or secluded in that school year, regardless of the nature or severity of the disability, consistent with 34 C.F.R. § 104.33;
    - c. evidence that the District, in interpreting evaluation data and in making placement decisions for students who were restrained or secluded in that school year, (i) drew upon information from a variety of sources, including the restraint(s), the seclusion, the Student's physical condition and adaptive behavior; (ii) established procedures to ensure that information obtained from all such sources is documented and carefully considered; and (iii) ensured that the placement decision was made by a group of persons knowledgeable about the child, the meaning of the evaluation data, and the placement options, including any restraint or seclusion used by the NPS, consistent with 34 C.F.R. § 104.35(c); evidence that the District ensured that the placement decision was made in conformity with § 104.34, which requires placement in the regular education environment to the maximum extent appropriate;
    - d. action steps the District took or will take if its review of a restraint or seclusion of a District student identified a use of restraint or seclusion that did not adhere to District policy; and
    - e. a complete copy of the documentation demonstrating its compliance with the regulations cited above and Sections VI.A.1-2 of this Agreement for any students referenced in the Report, as outlined in the Reporting Requirements section below, including but not limited to a copy of the student's IEPs, Section 504 Plans, BIPs, and FBAs in effect at the time of each restraint or seclusion, any relevant behavior incident reports (e.g., discipline reports and records related to each incident of restraint and seclusion), written communications between the District and the student's parents or guardians

about each restraint and seclusion incident, and documentation pertaining to any medical treatment or hospitalization the student received after the restraint or seclusion.

**B. REPORTING REQUIREMENTS:**

1. By January 19, 2024, the District will provide OCR with a written description of the steps it has taken to ensure accurate reporting to the CRDC, and confirmation that all employees charged with reporting data to the CRDC have reviewed the CRDC’s [Restraint & Seclusion Module](#).
2. Within 60 calendar days of the execution of this Agreement, the District will provide OCR with a description of the record-keeping process the District developed in accordance with Sections VI.A.1-2 above.
3. Within 60 calendar days of the end of each semester of the 2023-2024 and 2024-25 school years, and the 2024 and 2025 extended school years, the District will submit a Report to OCR. The Report will include for OCR review and approval the action steps the District is proposing to take as described in Section VI.A.5.d above. Each Report will include the supporting documentation for each student who was restrained or secluded, along with the information described in Section VI.A.1-2.

**GENERAL REQUIREMENTS**

By signing the Agreement, the District 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 the Agreement until such time as OCR determines that the District is in compliance with the terms of the Agreement and the statutes and regulations at issue in this compliance review.

The District understands and acknowledges that OCR may initiate administrative enforcement proceedings or refer this case to the Department of Justice (DOJ) for judicial proceedings in the event of breach to enforce the specific terms and obligations of the 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 60 calendar days to cure the alleged breach.

By:  /s/ \_\_\_\_\_  
Sarah Koligian, Ed.D.  
Superintendent  
Folsom Cordova Unified School District

Date:  October 11, 2023 \_\_\_\_\_