



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

50 BEALE ST., SUITE 7200
SAN FRANCISCO, CA 94105

REGION IX
CALIFORNIA

March 20, 2015

Dr. Tony Roehrick
Superintendent
Cabrillo Unified School District
498 Kelly Avenue
Half Moon Bay, California 94019

(In reply, please refer to # 09-14-1373.)

Dear Superintendent Roehrick:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), has completed its investigation of the above-referenced complaint filed against the Cabrillo Unified School District (District). The complaint alleged that the District discriminated against individuals on the basis of disability because the sports complex at Half Moon Bay High School does not have accessible features.

OCR investigated the complaint under the authority of Section 504 of the Rehabilitation Act of 1973 and its implementing regulation. Section 504 prohibits discrimination on the basis of disability in programs and activities operated by recipients of Federal financial assistance. OCR also has jurisdiction as a designated agency under Title II of the Americans with Disabilities Act of 1990 and its implementing regulation over complaints alleging discrimination on the basis of disability that are filed against certain public entities. The District receives Department funds, is a public education system, and is subject to the requirements of Section 504 and Title II.

OCR began gathering evidence through reviewing documentation provided by the District and the complainant, and interviewing a few witnesses. Prior to the conclusion of the OCR investigation, and before OCR reached compliance determinations, the District expressed an interest in taking action to resolve the allegations in this complaint. Under Article III, Section 302 of OCR's Case Processing Manual, a complaint may be resolved before the conclusion of an investigation when the recipient expresses an interest in such a resolution and agrees to a resolution that is aligned with the complaint allegations and consistent with applicable regulations. On March 18, 2015, the District provided OCR with a signed Resolution Agreement. As such, OCR is closing the investigative activity under this complaint number as of the date of this letter.

OCR concludes that the actions agreed to by the District in the enclosed Resolution Agreement will resolve the compliance issues raised in this case. OCR will monitor the implementation of the Resolution Agreement.

This concludes OCR's investigation of the complaint and should not be interpreted to address the District's compliance with any other regulatory provision or to address any issues other than those addressed in this letter.

This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. The complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the District may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the individual may file another complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions about this letter or OCR's resolution of this complaint, please contact Tammi Wong, Civil Rights Attorney, at (415) 486-5564.

Sincerely,

/s/

James M. Wood
Team Leader

Enclosure