

**Resolution Agreement**  
San Lorenzo Unified School District

OCR No. 09-14-1473

In order to resolve the allegations raised in this complaint filed with OCR under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, and without admitting to any violation of law, the San Lorenzo Unified School District (District) agrees to implement this agreement.

**Actions and Reporting:**

- I. Within 14 calendar days of the date of this agreement, the District will offer to conduct a full psycho-educational assessment of the Student in compliance with either Section 504 or the Individuals with Disabilities in Education Act (IDEA) to determine areas of disability for the purpose of determining appropriate placement and services.
- II. Within 60 calendar days of the parent's signed consent to assess, the District will hold a Section 504 and/or an Individualized Education Program (IEP) meeting. The meeting will determine an appropriate placement and services for the Student and, at a minimum, the following issues will be discussed:
  - a. A means for the Student to increase his grades from his ninth grade year, in collaboration with teachers, the Student, and Complainant.
  - b. The Student's potential for participating in a school sponsored athletics program; and the options for the Student to participate.
  - c. Discussion of appropriate services for the Student as a result of the incident occurring on August 7, 2014.
- III. Within 14 calendar days of the completion of Items I and II, above, the District will provide OCR with documentary evidence of completion, including the Student's evaluation and revised Section 504 Plan or IEP.
- IV. Within 60 calendar days of the date of this agreement, the District will conduct an investigation of the disability discrimination/harassment issues raised by the Complainant in her August 8, 2014 Uniform Complaint filed with the District.
  - a. Prior to conducting the investigation, the District will provide OCR with the name and credentials of the investigator.
  - b. Prior to reporting its findings to the Complainant, the District will send OCR a draft of its investigative report for review and consultation.
- V. Prior to the end of the 2014-15 school year (depending on the availability of qualified trainers):
  - a. The District will provide training to its Arroyo High School administrators (and any other faculty/staff responsible) on conducting an internal investigation of disability discrimination/harassment, with an emphasis on

providing a prompt and equitable investigation, and reporting findings to its complainants. The District will provide training to its Arroyo High School administration, faculty, staff, and Section 504 Coordinator on implementing Section 504 Plans and other responsibilities under Section 504.

- b. The District will identify and train any Arroyo High School staff responsible for Section 504 on recognizing, re-evaluating, and implementing transitional Section 504 Plans for all incoming ninth grade students.
- c. The District will provide OCR with the names of the training participants, trainers and material covered within 14 days of the completion of training in V.a-b, above.

**Monitoring:**

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 in compliance with Section 504, and Title II.

The District understands that by signing this agreement, it agrees 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 Section 504 and Title II.

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/\_\_\_\_\_  
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Dr. Fred Brill, Superintendent

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01/26/2015

Date