

Resolution Agreement
Alameda Unified School District
U.S. Department of Education, Office for Civil Rights
Docket Number 09-15-1173

To resolve the above-referenced complaint with the U.S. Department of Education, Office for Civil Rights (OCR), filed pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II) and their implementing regulations, the Alameda Unified School District (District), without admitting to any violation of law, agrees to implement this Agreement to resolve the allegations stated in this matter as follows:

I. Student Remedy

- a. The District will create a Mental Health Fund in the amount of \$650 for the Student to obtain mental health services, as needed, and provide information to the Student regarding how to access the account.
- b. The District will provide reimbursement to the Complainant in the amount of up to \$900 for the provision of mental health services between November 2012 and May 2015. Complainant will provide receipts for proof of services within 15 days of the date of this agreement. The District will reimburse within 45 days of receiving the proof of services.

Reporting Requirement:

- c. Within 50 days of the execution of this Agreement, the District will provide OCR with proof of the account and transmittal to Student of information about how to access the account as described in I.a. and the reimbursement to Complainant as described in I.b.

II. Monitoring

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504 and Title II at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue in this case.

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 the regulation implementing Section 504 and Title II at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue in this case.

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 sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Superintendent
Alameda Unified School District

03/18/2016
Date