

Resolution Agreement
Gilroy Unified School District
OCR Case No. 09-15-1279

The Gilroy Unified School District agrees, without admitting to any violation of law, to implement this Agreement to resolve the issues opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1975 and Title II of the Americans with Disabilities Act in the above-referenced OCR complaint.

- A. Meeting of Student's Section 504 Team. The District will convene a Section 504 meeting, to be attended by a team of individuals knowledgeable about the Student, and about evaluation data concerning the Student, to ensure that the Student's Section 504 plan specifies placement and services necessary to provide the Student a FAPE. The team will review whether the placement, services, accommodations and modifications currently in place for the Student are appropriate and sufficient to meet her individual needs. The team will also determine whether compensatory educational services, such as academic support services or tutoring, are necessary to address the District's failure to convene a Section 504 team before a significant change in the Student's placement during the 2014-15 school year. The Section 504 team's discussion will be memorialized in meeting notes and its decisions will be memorialized in the Section 504 plan.

By October 31, 2015, the District will provide OCR with the notes of the meeting and the Section 504 Plan. If the team determines the Student is entitled to compensatory or other services, the District will report to OCR at the end of each quarter on provision of those services until they are complete.

- B. FAPE Training. The District will provide training by a person with appropriate expertise to administrators, teachers, and other staff with responsibility for implementing IEPs and Section 504 plans at XXXXX XXXXXXXX High School, on the obligation to provide a FAPE. The training will cover proper procedures for identification, evaluation, placement, and implementation. The training will include a component specifically on students with diabetes.

By December 31, 2015, the District will provide OCR with evidence of compliance with this item, including the name and qualifications of the trainer, evidence of the content of the training, and attendance by the required personnel.

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 Section 504, Title II, and their implementing regulations. The District understands that OCR will close the monitoring of this Agreement after the District has provided documentation that it has complied with the terms of this Agreement. 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.

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 regulations implementing Section 504 and Title II.

GILROY UNIFIED SCHOOL DISTRICT

By: _____/s/_____

Date: 09/23/2015