Resolution Agreement
Placer County Office of Education
OCR Case Number
09-16-1056

Placer County Office of Education (PCOE), without admitting to any violation of law, agrees to implement this Resolution Agreement to resolve the concerns identified by the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act of 1990 (Title II) involving PCOE's building at 360 Nevada Street in Auburn.

I. Accessibility of Placer County Office of Education Building at 360 Nevada St.

PCOE will ensure that all current and new construction or alteration of its facilities undertaken to resolve this complaint will comply with the Federal accessibility design standard in place at the time of new construction or alteration, currently the 2010 Americans with Disabilities Act Standards for Accessible Design (2010 Standards).[1]

A. In this regard, PCOE will ensure that, by December 31, 2016, the building at 360 Nevada St. (the "Building") has the following accessible features, meeting the 2010 Standards.

    1. Accessible parking for the Building consistent with § 208 and § 502, including van-accessible parking as required by § 208.2.4; and

    2. At least one accessible route of travel within the site to the Building from accessible parking spaces and accessible passenger loading zones, public streets and sidewalks, and public transportation stops, consistent with § 206.2.1 and § 206.3.

II. Prompt and Equitable Responses to Disability Complaints

A. By August 1, 2016, PCOE will provide a response to Complainant's December X, 2015 Uniform Complaint Procedure complaint.

B. PCOE will also finalize and implement a disability-specific grievance procedure consistent with the regulations implementing Title II of the Americans with Disabilities Act, at 28 C.F.R. § 35.107(b) and Section 504, at 34 C.F.R. §104.7(b). The procedure must provide for prompt and equitable responses to requests for accommodation and complaints of disability discrimination. In order to implement the new procedure, PCOE will develop and issue a guidance memorandum and provide training to all relevant staff on their responsibilities for providing prompt and equitable responses to all disability discrimination complaints, regardless of the form in which they are received, including situations where complaints are also filed with the Office of Civil Rights.

[1] Available at http://www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm

III. Reporting and Monitoring

A. Building Accessibility

By December 31, 2016, PCOE will submit a report to OCR, along with supporting documentation, verifying that the accessible features outlined in section I of this Agreement have been completed and conform to the 2010 Standards. Documentation will also include photographs and documentation from the individuals or corporations that performed the changes, and may include a site visit by OCR.

B. Disability Grievance Procedure and Form

1. Within thirty days of the date that PCOE responds to Complainant's UCP complaint in Section II.A above, PCOE will submit to OCR a copy of the response and evidence that it was sent to Complainant.

2. By August 31, 2016, PCOE will submit to OCR, for its review and approval, the disability-specific grievance procedure, guidance memorandum, and training materials required under Section II.

3. Within 90 days of receiving OCR's approval, PCOE will formally adopt and implement the revised procedure, disseminate the guidance memorandum, and conduct the training described in Section II. By that same date, PCOE will provide OCR with the following information to verify compliance with the Agreement:

   - The date the grievance procedure was adopted and implemented, and description of how PCOE staff and the general public were notified of the new procedure.
   - Documentation showing how the guidance memorandum required in Section II was distributed to PCOE staff, and who the memorandum was distributed to.
   - Documentation showing a list of PCOE staff who received the training required in Section II, and the date the training was provided to such staff.

PCOE understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, PCOE understands that during the monitoring of this Agreement, OCR may visit the County Office of Education, interview staff and request such additional reports or data as are necessary for OCR to determine whether PCOE has fulfilled the terms of this Agreement and is in compliance with Section 504 and Title II of the ADA and their implementing regulations were at issue in this case. PCOE understands that OCR will not close the monitoring of this Agreement until such time that OCR determines that PCOE has fulfilled the terms of this Agreement and is in compliance with the statutes and regulations at issue in the matter.

PCOE 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 PCOE written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s/_____ _____06/23/2016_____
Gayle Garbolino-Mojica Date
Placer County Superintendent of Schools