

Resolution Agreement
Novato Unified School District
Case No. 09-17-1139

In order to resolve the finding of non-compliance made by the U.S. Department of Education, Office for Civil Rights (OCR), in the investigation of the above-referenced complaint filed against the Novato Unified School District (District), pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act of 1990, as amended (Title II) and their implementing regulations, the District agrees to take the actions in this Resolution Agreement (Agreement).

I. Ensuring Timely Resolutions

- A. When contracting with outside investigators, the District commits to monitoring completion to ensure that the investigation is completed consistent with the timelines incorporated within its grievance procedure for resolving reports and complaints of discrimination on the basis of disability, AR 1312.3.
- B. By October 1, 2018, the District will conduct a review of all complaint investigations conducted in response to a complaint of unlawful discrimination on the basis of disability against a student that were received from August XX, 2017 to June X, 2018 and were not resolved within the timeframe set forth in AR 1312.3, along with copies of the District's response to the complaints.
- C. By October 15, 2018, the District will provide OCR with a summary of the results of the review described under B, specifically its assessment of whether the resolution process was prompt. The District will provide any proposals for addressing concerns identified as a result of this review to OCR for review and approval.

II. Monitoring

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 the Agreement. Further the District understands that during the monitoring of the 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. Upon the District's satisfaction of the commitments made under the Agreement, OCR will close the case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Jim Hogeboom
Superintendent

August 2, 2018