Resolution Agreement
Oak Grove School District
OCR Case No. 09-18-1003

In order to resolve the allegations in the above-referenced complaint to the U.S. Department of Education, Office for Civil Rights (OCR) under 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), the Oak Grove School District (District) agrees to take the actions outlined in this Resolution Agreement (Agreement).

I. District Administration Building

A. The District will ensure that the district office building at 6578 Teresa Blvd in San Jose, California (hereinafter the "Building") will have the following accessible features meeting the applicable technical provisions of the 2010 Americans with Disabilities Act Standards for Accessible Design (2010 Standards):

   i. Accessible parking consistent with § 208 and § 502 of the 2010 Standards; and

   ii. At least one accessible route of travel to the Building's entrance from the accessible parking spaces, consistent with § 206.2.1 and § 206.3 of the 2010 Standards.

B. The District will modify its set-up procedures for school board meetings at the Building as described below, and distribute those revised procedures to relevant staff to ensure that school board meetings are accessible to individuals with disabilities:

   i. The District will ensure that the automatic door entry to the Building is functional and available after business hours when Board meetings occur.

   ii. The District will include a designated area at the front of the audience seating reserved for individuals with wheelchairs.

   iii. The District will provide a microphone and microphone stand that is accessible for individuals with wheelchairs.

II. Coordinator Under Section 504 and Title II

A. The District will provide written notification to all staff at the district office of the name, contact information, and responsibilities of the individual designated as the coordinator under Section 504 and Title II pursuant to the regulations at 34 C.F.R. §104.7(a) and 28 C.F.R. §35.107(a).

III. Monitoring and Reporting

A. By February 16, 2018, the District will submit a report to OCR, along with supporting documentation, confirming that the features identified in Section I.A are accessible and conform to the 2010 Standards. Documentation will include photographs and

documentation from the individuals or entities that performed the changes.

B. By February 16, 2018 the District will submit for review and approval to OCR 1) drafts of the set-up procedures described in Section I.B; and 2) a draft of the notification described in Section II. Within 30 days of OCR's approval of these materials, the District will distribute them to the relevant District staff as required in Section I.B and Section II and will submit documentation to OCR confirming that the materials have been distributed as required.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the District understands that during the monitoring of this Agreement, 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 Section 504 and Title II and their implementing regulations, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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/_____   ___01/29/2018___

Andrew Garcia   Date
Assistant Superintendent, Human Resources
Oak Grove School District