

Resolution Agreement
Upland Unified School District
OCR Case Number 09-18-1207

To resolve the issues identified by the U.S. Department of Education, Office for Civil Rights (OCR), in the above referenced complaint filed by the Complainant on behalf of her child (Student) pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act (Title II), the Upland Unified School District (District), without admitting to any violation of law, agrees to take the actions outlined in this Resolution Agreement (Agreement).

I. Individualized Education Program (IEP) Team Meeting. Within 90 days of the date that the Agreement is signed, after providing proper written notice to the Student's parent/guardian and completing appropriate evaluations, the District will convene an Individualized Education Program (IEP) team meeting, which is to be attended by a group of individuals knowledgeable about the Student, and about evaluation data concerning the Student. The purpose of the meeting, and subsequent meetings if necessary, is to ensure that the Student's IEP provides placement and services that are adequate to meet all of the Student's individual disability-related needs, including, but not limited to, the development of a harassment intervention plan that addresses the handling of instances of disability harassment against the student, including ensuring that the Student feels safe to attend school. Finally, the District will ensure that the Complainant is aware that she may raise areas of concern and otherwise communicate with school site staff directly.

II. Reporting Requirements.

Within 14 calendar days of meeting described in Sections I, the District will provide to OCR documentation from the meetings, including a copy of the IEP and (if applicable) the support plan, and any meeting notes that were generated.

III. Monitoring

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 Section 504 and Title II, 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.

06/25/2018

Date

/s/

Authorized Official
Upland Unified School District