

Resolution Agreement
Twin Rivers Unified School District
OCR Case Number 09-15-1553

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), Title II of the Americans with Disabilities Act (Title II), and Title VI of the Civil Rights Act of 1964, the Twin Rivers Unified School District (District), without admitting to any violation of law, agrees to take the actions outlined in this Resolution Agreement (Agreement) .

- I. Placement and Services Team Meeting.** By April 29, 2016, after providing proper written notice to the Student's parent/guardian and completing appropriate evaluations, the District will convene a Section 504 or Individualized Education Program (IEP) team meeting, as appropriate, 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 potential disabilities are fully and correctly identified, and that the Student's Section 504 or IEP plan provides a placement and services that are adequate to meet all of the Student's individual disability-related needs.

- II. Formal Notification of Complaint Resolution.** By April 29, 2016, the District will provide a formal written response to Complainant's March 2015 complaints. The formal response will address the issues raised by the Complainant, make a formal finding as to whether the Complainant's allegations were substantiated, and if so, the proposed remedy, and clearly explain the basis for the District's findings and proposed remedy.

- III. Written Guidance and Training.**
 - (a) On or before August 12, 2016, the District will issue written guidance and facilitate training for all District administrators involved in the handling and processing of complaints filed pursuant to the District's Uniform Complaint Procedure ("UCP"). The guidance and training will address the District's obligation to ensure that complaints related to discrimination and/or harassment on the basis of disability and race are addressed through the District's identified grievance procedure, the UCP, and to respond to such claims with a written decision as required in the UCP.

 - (b) On or before August 12, 2016, the District will issue written guidance and facilitate training for school site staff on its policies and procedures for providing a free, appropriate public education under Section 504 and the Title II. The training will be provided to all staff members working with students with special needs. Substitute teachers may be provided training at this session, or a separate session depending on the substitute teacher's date of hire.

- IV. Reporting Requirements.**

- (a) Within fourteen (14) calendar days of the placement and services team meeting described in Section I, the District will provide OCR for review and approval a copy of the 504 Plan or IEP developed.
- (b) Within fourteen (14) calendar days of the issuance of the formal resolution letter described in Section II, the District will provide OCR with a copy of the formal resolution letter and documentation that it was sent to the Complainant.
- (c) By July 1, 2016, the District will provide a draft of the guidance documents described in Section III to OCR for review and approval. The District will issue the guidance within ten (10) days of OCR's approval. Within thirty (30) days of issuing the guidance documents and conducting the training, the District will provide documentation, e.g. a sign-in sheet or other evidence, showing training attendance by name and title of attendees, along with a copy of the materials distributed at the training and the name and title of the trainer(s).

V. Monitoring

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 the regulations implementing Section 504, Title II, and Title VI with respect to the issues in this case.

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 Section 504, Title II, and Title VI, which were at issue in 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 will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

3//15/2016
Date

/s/
Authorized Official
Twin Rivers Unified School District