

Resolution Agreement
Sacramento City Unified School District
U.S. Department of Education, Office for Civil Rights
Docket Number 09-16-1402

To resolve the above-referenced complaint with the U.S. Department of Education, Office for Civil Rights (OCR), filed pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II) and their implementing regulations, the Sacramento City Unified School District (District), without admitting to any violation of law, agrees to implement this Agreement to resolve the allegations stated in this matter as follows:

I. Training

- a. The District will provide a training for all of the teachers at XXXXXXXXXXXXXXXX High School (the High School), including the Student's Pre-Calculus teacher (Teacher), regarding implementation of Section 504 plans. The training will include the following topics: (1) how to implement a student's Section 504 plan, (2) how to document and respond to complaints of disability discrimination, (3) not speaking about a student's Section 504 plan in front of or nearby other students, and (4) not making public statements in class regarding special accommodations a student is receiving.
- b. Reporting requirements:
 - i. By November 1, 2016, the District will provide the training to all of the teachers in the High School regarding implementation of Section 504 plans as outlined in Section I.a. of this Agreement. By November 15, 2016, the District will provide OCR with documentation showing that this training was completed and that specifies the date of the training, who was present during the training, the name and title of the person conducting the training, the topics covered during the training, how long the training lasted, and where the training took place. This documentation can include sign-in sheets and handouts that show the topics covered.

II. Warning Letter

- a. The District will give the Teacher a letter in writing stating that if there are any incidents in the future where she does not implement a student's Section 504 plan or where she discusses a student's Section 504 plan in front of or nearby other students, then she may be subject to discipline.

The District will give the Complainant with a copy of the letter that is provided to the Teacher.

b. Reporting Requirements:

- i. By September 30, 2016, the District will provide OCR with a copy of the warning letter provided to the Teacher pursuant to Section II.a. of this Agreement and will inform OCR of the date that the Teacher received the letter.
- ii. By September 30, 2016, the District will provide OCR with documentation showing that they provided the Complainant with a copy of the warning letter that the Teacher received and specifying the date that the Complainant received the letter.

III. Monitoring

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504 and Title II at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue 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 the regulation implementing Section 504 and Title II at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, 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 shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Jose L. Banda
Superintendent
Sacramento City Unified School District

_____08/26/2016_____
Date