

**Resolution Agreement
Cotati-Rohnert Park Unified School District
OCR Case Number 09-18-1240**

The Cotati-Rohnert Park Unified School District (District) agrees to implement this Resolution Agreement (Agreement) to resolve the compliance concerns identified by the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104 (Section 504), and Title II of the Americans with Disabilities Act of 1990 as amended, 42 U.S.C. § 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35 (Title II) in the above-referenced OCR case number.

I. Section 504 Policy and Procedures

- A. The District will review and revise its Section 504 policy, procedures, forms, and guidance (such as parent handbooks and manuals) to ensure that students with disabilities, as defined under Section 504, are provided with a free appropriate public education (FAPE). The policy and procedures will be revised to include the following:
1. That parents/guardians are informed of their right to request an evaluation under Section 504 for students who may be suspected of having a disability, including students who were found not eligible for special education under the Individuals with Disabilities Education Act (IDEA);
 2. When the District decides that the identification, evaluation, or placement of the student is not appropriate or necessary, it will advise parents/guardians of their right to receive or review of such decision through due process or fair hearing procedures.
 3. The District will develop a system of procedural safeguards to include notice of the action, an opportunity to examine relevant records, an impartial hearing with opportunity for participation by parents/guardians and representation by counsel, and a review procedure.

B. Training and Notice

1. Within thirty (30) days of adopting the Section 504 policy and procedures developed pursuant to Section IA above, the District will conduct a training at the School site named in this complaint. The training will be on the Section 504 policy and procedures and the procedural safeguards. The training will be provided to the School site administrators, teachers and other staff who are responsible for the identification, evaluation, or placement of students seeking special education services or accommodations under Section 504.

2. Within thirty (30) days of adopting the Section 504 policy and procedures, pursuant to Section IA above, the District will provide notice of the changes to the Section 504 policy and procedures, including the procedural safeguards, to all District staff responsible for the identification, evaluation, or placement of students seeking special education services or accommodations under Section 504.
3. Within thirty (30) days of adopting the Section 504 policy and procedures, pursuant to Section IA above, the District will provide notice of the changes to the Section 504 policy and procedures, including the procedural safeguards, to all parents/guardians in the District who have a student with a Section 504 Plan.

II. Monitoring and Reporting

- A. By no later than August 31, 2018, the District will submit to OCR for review and approval a draft of the procedures described in Section IA above.
- B. Within thirty (30) days of OCR's approval of the procedures described in Section IA above, the District shall implement the approved procedures and provide OCR a copy of the procedures.
- C. Within ten (10) days of conducting the training described in Section IB1, the District will provide to OCR documentary evidence of the training, including a training outline or any training materials presented, and sign-in sheets of attendees.
- D. Within ten (10) days of providing notice of the changes to the Section 504 policy and procedures, including the procedural safeguards, to District staff, as described in Section IB2, the District will provide a copy of the notice to OCR.
- E. Within ten (10) days of providing notice of the changes to the Section 504 policy and procedures, including the procedural safeguards, to the parents/guardians of students in the District with Section 504 Plans, as described in Section IB3, the District will provide a copy of the notice to OCR.
- F. 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, 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 this Agreement, OCR will close the case.

G. 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.

Robert A. Haley

5/30/2018

Robert Haley, Superintendent
Cotati-Rohnert Park Unified School District

Date