

Resolution Agreement
American Indian Charter School
OCR Case Number 09-14-1364

Pursuant to the U.S. Department of Education, Office for Civil Rights (OCR) Case Processing Manual at Section 302, OCR has the authority to accept this Resolution Agreement before the conclusion of the investigation of the above-referenced complaint. In order to resolve this complaint filed with OCR under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, and without admitting to any violation of law, American Indian Charter (Charter) agrees to implement the following resolution provisions.

Section I. Current location:¹ 2014-2015 School Year

1. The Charter will take necessary action to ensure that it operates each of its services, programs and activities in its current facility so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities, including students, staff, parents or guardians, and/or other visitors.
2. By May 18, 2015, the Charter will provide OCR with a program access plan to be implemented during the remainder of the 2014-2015 school year. The program access plan will:
 - a. specify each of the services, programs and activities that take place at the current facility and describe the means by which the Charter will ensure that each service, program and activity will be made accessible to and usable by a presenting student, staff person, parent or guardian, or other visitor with a disability; and
 - b. provide that large school events such as the prom, graduation ceremonies, etc., will be held in an accessible location off of school grounds.
3. Incorporating OCR's input, by May 26, 2015 the Charter will finalize the program access plan and will provide OCR a copy of the final plan.
4. The Charter will publish notice of its final program access plan, including contact information, on its website, through letters to parents and guardians, and through a memorandum to all staff within 10 calendar days of OCR approval.
5. By July 10, 2015, the Charter will report to OCR how it has implemented the program access plan throughout the remainder of the 2014-2015 school year as to each of its services, programs and activities.

¹ The Charter's current location is 3637 Magee Avenue, Oakland, California, 94619.

Section II. Relocation: 2015-2016 School Year

1. The Charter agrees to relocate its services, programs and activities to a new leased facility no later than the beginning of the 2015-2016 new school year, June 18, 2015. The Charter will make all best efforts to lease a facility that is fully accessible to individuals with disabilities.
2. If, after making all best efforts, the Charter is unable to lease a fully accessible facility, the Charter will, at a minimum, lease a facility in which it will be able to operate each of its services, programs and activities so that the service, program and activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities as of June 18, 2015.
3. By May 18, 2015, the Charter will provide OCR with a copy of the proposed lease for the new facility (prior to signing the lease) and a written report describing the proposed new facility. The report will include the following information:
 - a. the location of the facility;
 - b. a map or schematic identifying the major elements of the facility such as exterior routes, building entrances/exits, offices, classrooms, assembly areas, restrooms, parking, and recreational areas;
 - c. a listing of each service, program and activity that will be provided in the new facility;
 - d. a description of the accessible features of the facility and inaccessible features, if any; and
 - e. a description of the means by which the Charter will ensure that each service, program and activity to be located in the facility, when viewed in its entirety, will be accessible to and usable by individuals with disabilities by June 18, 2015.
4. By June 12, 2015, the Charter will provide OCR with a draft of procedures to ensure that interested persons can obtain information as to the existence and location of services, activities, and programs in the new facility that are accessible to and usable by disabled individuals. Incorporating OCR's input, the Charter will finalize the procedures, provide OCR with a final copy, and begin implementation by July 10, 2015.

The Charter understands that OCR will not close the monitoring of this Agreement until OCR determines that the Charter has fulfilled the terms of this Agreement and is in compliance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations at 34 C.F.R. part 104, and Title II of the Americans with Disabilities Act and its implementing regulations at 28 C.F.R. part 35, which were at issue in this case.

The Charter 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 Charter understands that during the monitoring of this Agreement, if necessary, OCR may visit the Charter, interview staff and students, and request such additional reports or data as

are necessary for OCR to determine whether the Charter has fulfilled the terms of this Agreement and is in compliance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations at 34 C.F.R. part 104, and Title II of the Americans with Disabilities Act of 1990 and its implementing regulations at 28 C.F.R. part 35.

The Charter 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 Charter written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Maya Woods-Cadiz
Superintendent
American Indian Model Schools

05/15/2015
Date