



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

50 BEALE ST., SUITE 7200
SAN FRANCISCO, CA 94105

REGION IX
CALIFORNIA

June 23, 2015

Richard Thomas, M. Ed.
Executive Administrator/Principal
New Horizons Charter Academy
5955 Lankershim Boulevard
North Hollywood, California 91601

(In reply, please refer to case no. 09-15-1321.)

Dear Mr. Thomas:

In a letter dated May 20, 2015, the U.S. Department of Education (Department), Office for Civil Rights (OCR) notified you of a complaint filed against the New Horizons Charter Academy (Academy). The complaint alleged that the Academy discriminates against individuals with vision disabilities because the content on the Academy's website is not accessible.

OCR enforces Section 504 of the Rehabilitation Act of 1973. Section 504 and its implementing regulations prohibit discrimination on the basis of disability in programs and activities operated by recipients of Federal financial assistance. OCR also has jurisdiction under Title II of the Americans with Disabilities Act of 1990 over disability discrimination complaints filed against public educational entities. The Academy receives funds from the Department and therefore is subject to Section 504, Title II, and their implementing regulations.

Under Section 302 of OCR's Case Processing Manual¹ (CPM), allegations and issues under investigation may be voluntarily resolved prior to the conclusion of the investigation, when the recipient expresses an interest in resolving the allegations and issues and OCR determines that it is appropriate to resolve them with an agreement in the course of an investigation.

On June 19, 2015, the Academy signed the enclosed resolution agreement pursuant to CPM Section 302. Through this agreement, the Academy has voluntarily agreed that it will make alterations to its website to ensure that it is accessible to individuals with visual disabilities. OCR will monitor the implementation of the agreement until the Academy has fulfilled the terms of the agreement and is in compliance with the statutes and regulations at issue in the case.

¹ The CPM may be viewed at <http://www2.ed.gov/about/offices/list/ocr/docs/ocrspm.pdf> .

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Under the Freedom of Information Act, it may be necessary to release this document and related records on request. If OCR receives such a request, it will seek to protect, to the extent provided by law, personal information which, if released, could reasonably be expected to constitute an unwarranted invasion of privacy.

The complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

OCR would like to thank you and your staff for cooperating during this process. We also would like to extend our thanks to Katie Ebert, the Academy's legal counsel, for her assistance. If you have any questions about this letter, please contact attorney Laura Welp at (415) 486-5577 or laura.welp@ed.gov.

Sincerely,

/s/

Anamaria Loya
Team Leader

cc: Katie Ebert, Esq.
Young, Minney & Corr, LLP
(by email only)

Enclosure:
Copy of the agreement