

Resolution Agreement
Antelope Valley Union High School District
09-16-1496

In order to resolve the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), the Antelope Valley Union High School District (District) agrees to take the following actions to ensure compliance with Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and their implementing regulations.

The District will ensure that its Academies of Antelope Valley (AAV) Schools dependent charter school program does not discriminate against students with disabilities in any of its programs, services, and activities, including its admissions process, and that it offers the full range of special education and related aids and services, with District support, based on the individual needs of enrolled students with disabilities.

I. AAV Schools Enrollment Process

- A. The District will modify the AAV Schools Prep Academy Enrollment Packet in the following ways:
 - i. add a statement that AAV Schools will not discriminate against students on the basis of disability in any of its programs, services, and activities, including admission;
 - ii. provide the title and contact information for the District's designated employee to coordinate its efforts to comply with Section 504 and Title II, including responding to complaints of disability discrimination;
 - iii. remove any request for information about an applicant's disability, if any, including requests for disability-related documents such as individualized education programs (IEPs); and
 - iv. specify that AAV Schools offers the full range of special education and related aids and services based on the individual needs of an enrolled student with a disability, and will inquire about a student's disability, if any, and related documentation only after the student has been accepted for enrollment and for the purpose of providing the student a free, appropriate, public education (FAPE) and an equal opportunity to participate in AAV Schools services, programs, and activities.

- B. The District will distribute the modified Enrollment Packet to all personnel who are involved in the recruitment and/or enrollment process for AAV Schools, including office staff, and will provide the same personnel with effective training to ensure consistent implementation of the modified enrollment process as reflected in the Packet.

Reporting Requirements:

By June 26, 2017, the District will provide a draft of the modified Prep Academy Enrollment Packet under provision I.A. for OCR's review and approval. Incorporating OCR's input, the District will finalize the Packet, provide OCR a final copy, and confirm that the modified Enrollment Packet is in use by July 17, 2017.

By August 4, 2017, the District will confirm to OCR that it has distributed the modified Enrollment Packet and provided effective training as required by provision I.B.

II. AAV Schools Materials

- A. The District will modify its AAV Schools descriptive materials, including, but not limited to, Course Description Books, recruitment materials, and online information, in the following ways:
- i. include a statement that AAV Schools will not discriminate against students on the basis of disability in any of its programs, services, and activities, including admission;
 - ii. provide the title and contact information for the District's designated employee to coordinate its efforts to comply with Section 504 and Title II, including responding to complaints of disability discrimination;
 - iii. remove any reference to a request for information about an applicant's disability, if any, including requests for disability-related documents such as IEPs, prior to enrollment;
 - iv. specify that AAV Schools offers the full range of special education and related aids and services based on the individual needs of an enrolled student with a disability; and
 - v. clarify that AAV Schools will inquire about a student's disability, if any, and related documentation only after the student has been accepted for enrollment and for the purpose of providing the student a FAPE and an equal opportunity to participate in AAV Schools services, programs, and activities.

Reporting Requirements:

By June 26, 2017, the District will provide a draft of the modified materials under provision II.A. for OCR's review and approval. Incorporating OCR's input, the District will finalize the materials, provide OCR final copies, and confirm that the modified materials are in use by July 17, 2017.

IV. Monitoring process:

The District understands that OCR will not close the monitoring of this Agreement until such time that OCR determines that the District has fulfilled the terms of this Agreement and is in

compliance with the regulations implementing Section 504, at 34 C.F.R. §104.4(a) and (b), and Title II, at 28 C.F.R. §35.130(a) and (b), which were at issue in this case.

The District further understands that by signing this Agreement, it agrees to provide data and any other information in a timely manner. 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 regulations implementing Section 504, at 34 C.F.R. §104.4(a) and (b), and Title II, at 28 C.F.R. §35.130(a) and (b), 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 and 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.

_____/s/_____
Dr. David J. Vierra, Ph.D,
Superintendent

06/01/2017
Date