

Resolution Agreement

Antelope Valley Union High School District
OCR Case No. 09-17-1249

In order to resolve the concerns identified by the U.S. Department of Education, Office for Civil Rights (OCR) regarding the above-referenced complaint under Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act of 1990, as amended (Title II) and their implementing regulations, the Antelope Valley Union High School District (District) agrees to take the actions outlined in this Resolution Agreement (Agreement).

I. Training

- A. By December 31, 2017, the District will provide training to all relevant staff at SOAR Preparatory Academy (the School), including any site administrators, special education teachers, school psychologists, and general education teachers, concerning the District's responsibility to ensure the provision of a free appropriate public education (FAPE) to students with disabilities under IDEA and Section 504. The training will include a focus on staff's responsibilities for serving students who come to the school with existing Section 504 plans from another school or district, including processes for promptly revising Section 504 plans as necessary.

II. Monitoring and Reporting

- A. By June 30, 2017, the District will provide a draft of the proposed training materials for the training described in Section I to OCR for review and approval.
- B. Within 30 days of conducting the training, the District will provide documentation to OCR that all staff required under Section I were trained, including documentation (e.g., a sign-in sheet or other evidence) showing training attendance by name and title of attendees, a copy of the materials distributed at the training, the name and title of the trainer(s), and the date of the training.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District 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 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 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) days to cure the alleged breach.

_____/s/_____

David J. Vierra, Ph.D.
Superintendent
Antelope Valley Union High School District

_____06/01/2017_____

Date