

Resolution Agreement
Lassen Antelope Volcanic Academy Charter School
OCR Case Number 09-18-1660

The Lassen Antelope Volcanic Academy Charter School (School), and the Antelope Elementary School District (District), without admitting to any violation of law, 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.¹

I. IEP and Section 504 Policy and Procedures

A. The School will review and revise its Individualized education Program (IEP) and Section 504 policy, procedures, forms, and guidance (such as parent handbooks and manuals) to ensure that students with disabilities, as defined under Section 504 and Title II, are provided with a free appropriate public education (FAPE). The policy and procedures will be revised to include the following:

1. When a student with an IEP or Section 504 plan fails to meet the standard 80% work completion in a grading period, the School will conduct an IEP or Section 504 meeting for that student to determine if there are any accommodations or adjustments needed for that student.
2. Prior to exiting a student with an IEP or Section 504 plan from the School for failure to meet the 80% work completion in the School's Master Agreement, the School will conduct an IEP or Section 504 meeting for the student to reevaluate the student and determine if there are any accommodations or adjustments appropriate for the student.

B. Training and Notice

1. Within thirty (30) days of adopting the revised IEP and Section 504 policy and procedures developed pursuant to Section I.A. above, the District will

¹ OCR opened this complaint against the School, however during the investigative process, the District (in conjunction with the School) assumed responsibility for working with OCR to resolve the complaint.

conduct a training at the School on its obligations to provide a FAPE under Section 504, Title II, and their implementing regulations, and its revised IEP and Section 504 policy and procedures. The training will be provided to School staff who participate in IEP and Section 504 meetings.

2. Within thirty (30) days of adopting the IEP and Section 504 policy and procedures, pursuant to Section I.A. above, the School will provide notice of the changes to the IEP and Section 504 policy and procedures to all School staff who participate in IEP and Section 504 meetings.
3. Within thirty (30) days of adopting the IEP Section 504 policy and procedures, pursuant to Section I.A. above, the School will provide notice of the changes to the IEP and Section 504 policy and procedures to all parents/guardians in the School who have a student with a Section 504 Plan.

II. Monitoring and Reporting

- A. By no later than April 22, 2019, the School will submit to OCR for review and approval a draft of the procedures described in Section I.A. above.
- B. Within thirty (30) days of OCR's approval of the procedures described in Section I.A. above, the School shall implement the approved procedures and provide OCR a copy of the procedures, and provide notice of the revised IEP and Section 504 policy and procedures to School staff and parents, in accordance with Section I.B. above. Within ten (10) days of providing notice of the changes to the IPE and Section policy and procedures to School staff and parents, the School will provide a copy of the notices to OCR.
- C. Within ten (10) days of conducting the training described in Section I.B.1, the School will provide to OCR documentary evidence of the training, including a training outline or any training materials presented, and sign-in sheets of attendees.

The School and District understand that by signing this Agreement, they agree to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the School and District understand that during the monitoring of the Agreement, if necessary, OCR may visit the School and District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the School and District have fulfilled the terms

