

Resolution Agreement
Antelope Valley Union High School District
09-19-1592

The Antelope Valley Union High 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 (Section 504), 29 U.S.C. §794, Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131 *et seq.*, and the implementing regulations for each of these statutes.

I. Staff Training

- A. The District will train all staff members, who attend Section 504 meetings, at the Student's high school as to how to draft Section 504 Plans that clearly state when and how often an accommodations is to be provided for a student, in order to prevent misinterpretation between staff, students, and parents. For example, if a student is to receive extra time on assignments or tests, the Section 504 Plan will state how more time the student will receive. The training will also remind teachers to document how they implement an accommodation for a student. The training will be held by March 31, 2020.
- B. Within 15 days of holding the training, the District will provide OCR with a copy of the sign in sheets with the names and titles of each staff member who participated.

II. Section 504 meeting

- A. By February 28, 2020, the District will provide proper written notice to the Complainant inviting her and the Student to a Section 504 meeting to determine whether the Student needs any compensatory services, such as tutoring, to address OCR's concern that the Student did not receive some of her accommodations from May 2, 2019 to November 4, 2019. The Section 504 meeting will be held by March 31, 2020. If the Complainant and the Student are unable to attend the meeting, they will be allowed to provide written input to the Section 504 team, before the meeting, as to whether they believe the Student needs any compensatory services for any of her classes. The Section 504 team will consider the Complainant and the Student's written input. If the team determines the Student needs compensatory services, the group will develop a plan for providing timely compensatory services with a completion date not to extend beyond the end of the current school year. The District will provide the Complainant with a copy of the Section 504 Plan and the notice of the procedural safeguards including the right to challenge the group's determination through an impartial due process hearing.

- B. Within two weeks of the Section 504 meeting, the District will submit to OCR a copy of the Section 504 Plan which will include documentation showing the participants in the meeting, the information considered, an explanation for decisions made, and a description of and schedule for providing any compensatory services, if any, to the Student.

The District understands that by signing the resolution agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the District understands that during the monitoring of the resolution 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 and obligations of the resolution agreement. Upon the District satisfaction of the commitments made under the Agreement, OCR will close the case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the resolution agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s/_____

February 19, 2020