



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

REGION IX
CALIFORNIA

50 UNITED NATIONS PLAZA
MAIL BOX 1200, ROOM 1545
SAN FRANCISCO, CA 94102

July 14, 2021

VIA ELECTRONIC MAIL

John Becker
Superintendent
Roseville Joint Union High School District
1750 Cirby Way
Roseville, CA 95661

(In reply, please refer to case no. 09-21-1084.)

Dear Superintendent Becker:

This letter is to advise you of the disposition of the above-referenced complaint filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against Roseville Joint Union High School District (the District). The Complainant¹ alleged discrimination based on disability. OCR investigated the following issue: whether the District denied the Student a free, appropriate public education (FAPE) by failing to follow adequate procedures for placement of the Student. Specifically, OCR investigated whether the District failed to draw upon information from a variety of sources and ensure that information obtained from all such sources was documented and carefully considered as part of the decision-making process for the Student's Section 504 plan accommodations.

OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability under any program or activity receiving Federal financial assistance. OCR is also responsible for enforcing Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131-12134, and its implementing regulation, 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public entities. The District is a public entity that receives funds from the Department and is therefore subject to Section 504, Title II, and their implementing regulations.

During its investigation, OCR reviewed information provided by the Complainant and the District, interviewed the Complainant, and reviewed publicly available information on the District's website. Specifically, OCR gathered evidence by reviewing documents provided by the Complainant and the District's March 4, 2021 and April 23, 2021 data responses.

¹ OCR previously notified the District of the identities of the Complainant and the Student. We are withholding their identities here to protect their privacy.

Prior to the conclusion of OCR's investigation, the District expressed an interest in voluntarily resolving the issues in this complaint. Based on the facts gathered to date, OCR determined that it was appropriate to resolve the issues because OCR's investigation identified concerns that can be addressed through a Section 302 resolution agreement (Resolution Agreement). The provisions of this Resolution Agreement are tied to the allegations and the evidence obtained during the investigation and are consistent with applicable regulations.

The applicable legal standards, summary of the evidence obtained to date, and resolution of this matter are summarized below.

Issue #1: Whether the District denied the Student a free, appropriate public education (FAPE) by failing to follow adequate procedures for placement of the Student when the District failed to draw upon information from a variety of sources and ensure that information obtained from all such sources was documented and carefully considered as part of the decision-making process for the Student's Section 504 plan accommodations.

Legal Standard

The Section 504 regulations, at 34 C.F.R. § 104.33, require public school districts to provide a free appropriate public education (FAPE) to all students with disabilities in their jurisdictions. An appropriate education is defined as regular or special education and related aids and services that are designed to meet the individual needs of students with disabilities as adequately as the needs of students without disabilities are met, and that are developed in accordance with the procedural requirements of §§ 104.34-104.36 pertaining to educational setting, evaluation and placement, and due process protections. Implementation of an individualized education program (IEP) developed in accordance with the Individuals with Disabilities Education Act (IDEA) is one means of meeting these requirements. OCR interprets the Title II regulations, at 28 C.F.R. §§ 35.103(a) and 35.130(b)(1)(ii) and (iii), to require districts to provide a FAPE at least to the same extent required under the Section 504 regulations.

The Section 504 regulation, at 34 C.F.R. § 104.35(c) requires a Section 504 Team making placement decisions to, among other things, draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and establish procedures to ensure that information obtained from all such sources is documented and carefully considered.

Summary of evidence obtained to date

The District established several policies, procedures, and procedural safeguards for the Section 504 Plan process. Pursuant to the District's Administrative Regulation 6164.6, the District will conduct an evaluation if it determines that a student needs or is believed to need special education or related services under Section 504.² Once the evaluation is complete, a Section 504 Team will meet to "review the evaluation data in order to make placement decisions."³ The District's *Section 504 Procedural Resource Manual* (Section 504 Manual) states that "eligibility for a Section 504

² District Administrative Regulation 6164.6 at 2-3.

³ *Id.* at 3.

Plan should be determined only after the Section 504 Team has documented that a student has a physical or mental impairment which substantially limits a major life activity and requires accommodations / services under Section 504.”⁴ If the Section 504 Team finds a student eligible, the District’s guidance, *Creating Section 504 Plans in Aeries* (Guidance) requires the Section 504 Team to document the “name of [the student’s] impairment (e.g. ADHD, Diabetes, Bee allergy, Depression, etc.)... FOLLOWED by a brief description of the specific substantial limitations (i.e., symptoms of the impairment) that may require accommodations for the student to be able to obtain FAPE.”⁵ The Section 504 Team shall then review information from a variety of sources to determine whether the Student requires accommodations and “summarize the details derived from each source of information” in the Section 504 Plan.⁶ If the Section 504 Team determines that the Student requires accommodations, the Section 504 Team shall detail the specifics in the accommodations portion of the Section 504 Plan. On the other hand, if the Section 504 Team decides that the Student does not require accommodations, it shall “document the rationale for a student being eligible for a plan but not needing accommodations” in the comments section of the Section 504 Plan.⁷

The Student is a XXXXXXXX-year-old XXXXXXXX at a District high school (School) with ADHD and mild to moderate dyslexia diagnoses. The Student enrolled at the School in the fall of the 2019-2020 school year. In spring 2020, the District held the first of four Section 504 meetings where the Student’s Section 504 Team determined that he was eligible for a Section 504 Plan (Plan) and did not require accommodations.

On February XX, 2020, the District held an initial Section 504 meeting for the Student that was scheduled for 30 minutes. The Section 504 Team determined that the Student was eligible under Section 504 because his diagnosed impairments of ADHD and dyslexia affect his “learning.” The February XX Section 504 Plan does not describe how the Student’s impairments constitute a substantial limitation on the major life activity of “learning” or the basis for the determination that the Student did not require accommodations. Instead, it states that the Student is “eligible, but accommodations/supports are not currently needed.”⁸ According to the February XX Section 504 Plan, the Section 504 Team reviewed the Student’s XXXXXXXX grade transcript, state standardized testing scores Terra Nova Common Core Form scores, and English learner reclassification information. The Student’s teachers and a District School psychologist reported that the Student had A grades in each of his courses and only received one accommodation, preferential seating at the front of the class, in his English course. This preferential seating was provided at the discretion of the Student’s teacher and was not a result of any specific decision made by the Section 504 Team. Also, during this meeting, the Student and the Complainant described the Student’s ADHD and dyslexia related challenges in the areas of concentration, distractibility, oral processing, and

⁴ *Procedural and Resource Manual* at 12.

⁵ *Creating Section 504 Plans in Aeries* at 4.

⁶ *Creating Section 504 Plans in Aeries* at 7.

⁷ *Creating Section 504 Plans in Aeries* at 4-7. The District guidance on *Creating Section 504 Plans in Aeries* provides the following example of a description of the determination that a student does not necessitate services: “Clark’s Kryptonite energy does not hinder his ability to access school facilities, participate in school, or derive educational benefits from his regular education program. The Section 504 Team determined that accommodations or other supports are unnecessary at this time because Clark’s disability is not adversely impacting his functioning or access at school.” The District guidance, *Creating Section 504 Plans in Aeries* provides the following example of a document considered as part of the determination: “Darth has missed 18 days of school due to unexcused reasons.”

⁸ *February XX, 2020 Section 504 Plan* at 1-4.

memory. The Complainant additionally cited the conclusion of the Student's 2014 psychoeducational assessment that "assessment results indicated 'a significant and consistent pattern of processing deficits consistent with [the Student's] ADHD diagnosis.'" The Complainant also requested Section 504 accommodations including extra time for testing, preferential seating, and reduction of homework assignments with "considerable reading and writing."⁹ The February XX Section 504 Plan does not indicate that the Section 504 Team reviewed the Student's ADHD and dyslexia diagnoses, the Student's complete psychoeducational assessment, or the Student's XXXXX grade transcripts and course specific grade reports.

After the February XX Section 504 Plan meeting, on February XX, 2020, the Complainant contacted the District to express concern about the Section 504 Team's decision that the Student did not require accommodations. Specifically, the Complainant cited the Student's C+ average on exams in his XXXXXX course as evidence that the Student needed Section 504 accommodations. The District responded that the Section 504 Team found the Student eligible for a Section 504 Plan, but determined that the Student did not require accommodations because "he is currently accessing his education with his peers in the least restrictive environment" and "it seems the struggles at home with homework / studying do not seem to be manifesting in the classroom at this time."¹⁰

In response to the Complainant's concerns, the District agreed to schedule a 30-minute Section 504 Plan review meeting for the Student on April XX, 2020. The Complainant requested that the District extend the meeting time from 30 minutes to 60 minutes in order to allow adequate time for discussion. According to documentation provided to OCR, the District did not respond to the Complainant's request or create a Section 504 Plan addendum or any meeting notes to document this April XX Section 504 plan meeting. Internal District correspondence and statements from the Complainant indicate, however, that this Section 504 Plan meeting took place on April XX, 2020 and, according to a District email, during this convening, the Section 504 Team completed a "comprehensive records review," discussed student, parent, and teacher feedback, reviewed documents provided by the parent, and again determined that the Student did not require accommodations because he was "accessing his education in the least restrictive environment better than his general education peers."¹¹ No record of the meeting or what occurred during it is included in the Student's Section 504 Plan records or in the District's student data management system.

In April 2020, the Student began receiving mental health therapy to address the emotional impacts of his academic challenges, including timed exams. Shortly thereafter, in May 2020, the Student's therapist and physician wrote letters recommending that preferential seating and additional time for exams were appropriate for the Student's condition.

During the fall semester of the 2020-2021 school year, the Student emailed four of his teachers to describe his difficulty completing exams within the allotted time frames, and three of the four teachers granted the Student's request for additional time. On September XX, 2020, four of the Student's teachers completed Section 504 Plan Teacher Reviews and three teachers stated that the

⁹ February XX, 2020 Section 504 Plan at 2-3.

¹⁰ Email Correspondence Between District and Complainant at 29.

¹¹ Email Correspondence Between District and Complainant at 75-76.

Student exhibited ADHD-like behaviors. For example, the Student's XXXXXXXX teacher wrote that the Student had difficulty staying on task and "last year he was becoming distracted easily. DL has been better for him."¹² Similarly, the Student's XXXXXXXXXXXXXXXX teacher wrote that the Student exhibited "difficulty with timed tests" and rated the Student as having "significant difficulties with reading, writing, math, or taking tests within typically allotted time limits."¹³ Two of the four teachers also reported providing accommodations to the Student outside the Section 504 process to address these challenges, including "explain process to him specifically via zoomo" and "giving [the Student] extra time and ask [the Student] to come to HUB to complete assignments."

On September XX, 2020, the District held another Section 504 review meeting for the Student that was scheduled for 30 minutes. During this convening, the Section 504 Team re-affirmed its previous decision that the Student was "eligible, but accommodations/supports are not currently needed." According to the September XX Section 504 Plan meeting notes, the Complainant "shared [the] most recent statement from Mental Health Provider," the Section 504 Team reviewed the Student's current grades, and the Student shared the challenges that he faced at school.¹⁴ The Section 504 Plan does not indicate that the Section 504 Team reviewed the Student's Section 504 Plan Teacher Reviews from ten days prior, emails between the Student and his teachers regarding informal accommodations being provided outside the Section 504 Plan process, or the Student's individual grade reports to assess his ability to complete exams within the allotted time period. As with the previous Section 504 Plans developed for the Student, the September XX Section 504 Plan does not include a specific description of the impact of ADHD and dyslexia on the Student's learning, or a rationale for the denial of accommodations.

After the meeting, on September XX, 2020, the Complainant contacted the District to state that it was her "impression" that "if [the Student] has good grades, and if he does not need accommodation[s] from every teacher, the chance of the [S]chool approving the request for accommodation[s] is very slim."¹⁵ On November X, 2020, the Complainant filed a Section 504 Grievance Complaint (Grievance) with the School principal that included the aforementioned letters from the Student's physician and therapist, and documentation regarding the Student's low test scores. On November XX, 2020, in response to a request for information related to the Grievance, the Student's counselor informed the School principal that the Team determined that the Student did not need accommodations "due to evidence showing that [the Student] is accessing his education without accommodations."¹⁶ The following week, on November XX, 2020, the School principal informed the Complainant that the District would hold an additional Section 504 Plan meeting to discuss the concerns that she raised in the Grievance.

On December XX, 2020, the District held a fourth Section 504 review meeting for the Student. At this Section 504 Plan meeting, that was scheduled for 45 minutes, the Section 504 Team re-affirmed that the Student was "eligible, but accommodations/supports are not currently needed." According to the December XX Section 504 Plan, the Team reviewed the Student's current attendance, discipline, and grade reports and determined that the Student had satisfactory

¹² September 2020 Section 504 Plan Teacher Review Forms at 1-7.

¹³ September 2020 Section 504 Plan Teacher Review Forms at 7-8.

¹⁴ February XX, 2020 Section 504 Plan.

¹⁵ September XX, 2020 Email to School from Complainant.

¹⁶ Email Correspondence Between District and Complainant at 188.

attendance, a limited disciplinary record, a 4.02 weighted GPA, and was on track to graduate. During the meeting, the Student's teachers described the Student's academic success and asserted that the Student did not require accommodations beyond those provided to other students. In contrast, the Student described the challenges he faced completing work on time and the Complainant provided a copy of the Student's grade report that highlighted low exam and quiz scores particularly with respect to assessments that were reading and writing-intensive. The Section 504 Plan does not indicate that the Section 504 Team reviewed letters from the Student's therapist, physician, or documentation that in November 2020 the Student began meeting on a monthly basis with a School social worker for a wellness check-in. Like all previous Section 504 Plans, the December XX Section 504 Plan does not provide a specific description of the impact of ADHD and dyslexia on the Student's learning, or a rationale for the denial of accommodations. Instead, the comments section of the December XX Section 504 Plan, the designated space to provide the rationale, states that "all teachers provided feedback and responded to parent/student questions/concerns. No changes were made to the 504 Plan. Parent requested to meet in the near future due to College Board deadlines."¹⁷

After the meeting, in December 2020 and January 2021, the Complainant and one of the Student's teachers stated that they believed that the Section 504 Team decided that the Student did not require accommodations because of the Student's A grades. The Complainant, in an email to the District, stated that she believed that the Student's GPA was "heavily used to 'prove' he is not qualified for the [requested] accommodation" even though the Student's challenges are "evident in his test taking and test score."¹⁸ Similarly, the Student's teacher stated in a letter provided to OCR that they were "shocked at the School's decision that [the Student] does not need any accommodations because he was earning an A in his classes."¹⁹ Among other things, the Student's teacher stated that the Student's scores on exams did not reflect his scores on other tasks; it was only after the teacher began providing the Student additional time that the Student's scores improved and the negative emotional impact of the testing decreased.

The District scheduled another Section 504 meeting for 30 minutes on January XX, 2021. Counsel for the Complainant requested that the meeting be scheduled for an hour to an hour and a half to avoid another continuance of the meeting. The Complainant cancelled this Section 504 Plan meeting.

Compliance concerns based on evidence obtained to date

As an initial matter, OCR notes that the District's Section 504 Manual states that "eligibility for a Section 504 Plan should be determined only after the team has documented that a student has a physical or mental impairment which substantially limits a major life activity and requires accommodations / services under Section 504." In contrast, the Section 504 regulations state that a student is eligible under Section 504 if they have a physical or mental impairment which substantially limits one or more major life activities.²⁰ After being found eligible under Section 504, a Section 504 Plan may be created if the Section 504 Team determines that the student

¹⁷ December XX, 2020 Section 504 Plan.

¹⁸ Email Correspondence Between District and Complainant at 252-253.

¹⁹ Teacher Letter Regarding Accommodations at 2-3.

²⁰ 34 C.F.R. § 104.3(j).

requires regular or special education and related aids and services designed to meet the student's individual educational needs and ensure that the student receives a free appropriate public education.²¹ The Section 504 Manual's instructions thereby conflate the distinct procedures for determining Section 504 eligibility and the process used with respect to placement decisions about specific accommodations, modifications, or special education or related aids services an individual Section 504-eligible student may require. Therefore, as written the Section 504 Manual suggests that students who do not require accommodations would not be eligible pursuant to Section 504 and, as a result, may be denied disability discrimination protections to which they otherwise may be entitled.

With respect to the placement process used for the Student, the Section 504 regulations require that decisions be based on information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior.²² The evidence obtained to date indicates that, during Section 504 meetings held during the 2019-2020 and 2020-2021 school years, the District generally considered the Student's transcripts, standardized testing scores, and EL reclassification information, as well as input from the Student, the Complainant, the Student's teachers and counselor. However, the evidence obtained to date also indicates that there were additional, relevant sources of information about the Student such as aptitude, achievement, and adaptive behavior data that were known to the District but were not otherwise referenced in the Section 504 Plans created for the Student during this time period. For example, the Student's 504 plans do not reflect review of the Student's psychoeducational report, letters from the Student's treating physician and therapist, or the Student's individual course grade reports as part of the placement process. Furthermore, the information received to date does not indicate whether teacher recommendations completed for the Student and information related to his diagnoses of ADHD and dyslexia were discussed by the Section 504 Team when determining that the Student did not need accommodations.

Even if the District's decisions with respect to the development of the Student's Section 504 plans were based on information from a variety of sources, the information obtained to date raises concerns with respect to whether this information was adequately documented and carefully considered in the Section 504 placement process. As stated above, the District's Section 504 Manual and Guidance provide specific processes for District employees to follow when developing Section 504 plans. The Guidance directs a Section 504 Team to "summarize the details derived from each source of information" in the Section 504 Plan. The Guidance also states that the Team shall state the "name of [the Student's] impairment (e.g. ADHD, Diabetes, Bee allergy, Depression, etc.)... FOLLOWED by a brief description of the specific substantial limitations (i.e., symptoms of the impairment) that may require accommodations for the student to be able to obtain FAPE", and "document the rationale for a student being eligible for a plan but not needing any accommodations."

While the Guidance conforms with the general Section 504 requirements concerning the adoption of placement procedures, the information obtained to date supports an inference that the District deviated from its processes in this instance. First, in contrast to the District's Guidance on the creation of Section 504 plans, the District did not document the Student's April XX, 2020, Section

²¹ 34 C.F.R. § 104.33.

²² 34 C.F.R. § 104.35(c).

504 meeting. Also, in contrast to the District's Guidance, the Student's subsequent Section 504 plans and meeting notes provided to OCR do not document multiple sources of information about the Student known to the District and / or discussed during specific Section 504 meetings. For example, while the Student's Section 504 Plans name the Student's impairments of ADHD and dyslexia, state that these impairments impact the major life activity of "learning," and conclude that the Student did not need any accommodations, the Section 504 plans do not summarize details derived from each source of information about the Student's impairments, describe the Student's specific substantial limitations of major life activities symptomatic of his impairments, or document the rationale for the determination that the Student was eligible for a Section 504 Plan. In addition, District employees communicated outside the Section 504 process via internal and external emails that the Student did not need accommodations because he was accessing his education in the least restrictive environment without accommodations, his struggles with homework and studying did not manifest in the classroom, and he was not significantly limited by his diagnosis. The Complainant responded to District emails by, among other things, communicating her concern that Section 504 accommodations were being denied on the basis of the Student's exemplary grades. However, none of the District's bases for denying accommodations, or the Complainant's responses to such, were documented in the Student's Section 504 plans. This is in direct contrast to the documentation procedures described in the District's Guidance and Section 504 Manual with respect to summarizing information derived from each source of information, the description of a student's substantial limitations that may require accommodations, and documenting the rationale for a student being eligible for a Section 504 plan but not requiring accommodations. Therefore, OCR identified a concern that the District did not create any documentation of one of the Student's Section 504 meetings and provided incomplete documentation of the sources of information reviewed in subsequent Section 504 meetings.

Even if the Student's Section 504 plans do fully document the Section 504 placement process, the evidence obtained to date by OCR does not indicate that relevant sources of information were carefully considered when determining that the Student did not need accommodations. For example, the Student's Section 504 Plans state that the Section 504 Team discussed, among other things, the Student's high grades, standardized test scores, and that he is highly regarded by his teachers. However, the evidence reviewed by OCR does not indicate whether the Section 504 Team similarly carefully considered additional relevant sources of information when determining that the Student did not need Section 504 accommodations. Specifically, information provided by the Student, the Complainant, and grade reports from the Student's courses suggested that the Student achieved high final grades in his courses only after devoting significant time to overcome challenges related to his ADHD and dyslexia impairments, receiving significant assistance from the Complainant, and receiving informal accommodations from his teachers outside of the Section 504 process. The Student's Section 504 plans and other information shared by the District do not indicate whether the Section 504 Team carefully considered this information about the Student's adaptive behavior when determining that the Student did not need Section 504 accommodations. Rather, the information obtained by OCR indicates that some discussions concerning the Student's adaptive behavior were held outside the Section 504 process in internal email correspondence and conversations with the Complainant. This raises additional concerns about the placement process for the Student and, as such, OCR identified a compliance concern that the Section 504 Team may

not have carefully considered available information about the Student when determining that the Student did not require accommodations.

Additionally, OCR identified a related compliance concern with respect to the District's practice of scheduling the Student's Section 504 meetings for 30 and 45 minutes. On several occasions, the Complainant requested that the meetings be extended to 60 or 90 minutes to allow adequate time for carefully considered decision-making. According to the documentation provided to OCR, the District did not respond to the Complainant's extension requests, and on one occasion, only extended the meeting while it was occurring. The District's practice of scheduling the Student's Section 504 meetings for 30 and 45 minutes raises a concern that there may not have been sufficient time for the Section 504 Team to review and carefully consider multiple sources of information to determine whether the Student requires accommodations.

In order to make a compliance determination with respect to the allegation opened for investigation, OCR would need to gather additional information with respect to additional Section 504 Team meetings reported by the Complainant as occurring in May of 2021. Prior to the conclusion of OCR's investigation, the District expressed interest in resolving this legal issue through a section 302 Resolution Agreement as described below.

Voluntary resolution prior to the conclusion of investigation

Prior to OCR making a final determination with respect to the issues opened for investigation, the District expressed an interest in voluntarily resolving the allegations in this complaint pursuant to Section 302 of OCR's Case Processing Manual²³, and OCR agreed it was appropriate to do so. On July 13, 2021, without admitting to any violation of law, the District signed the enclosed Resolution Agreement, which, when fully implemented, is intended to address the allegations in the complaint. Based on the commitments made in the enclosed Resolution Agreement, OCR is closing the investigation of this complaint as of the date of this letter and notifying the Complainant concurrently. OCR will monitor the implementation of the Resolution Agreement until the District is in compliance with its terms. Upon completion of the obligations under the Resolution Agreement, OCR will close the case.

This concludes OCR's investigation of the complaint and should not be interpreted to address the District compliance with any other regulatory provision or to address any issues other than those addressed in this letter. This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public.

Please be advised that the District may not harass, coerce, intimidate, retaliate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the individual may file another complaint alleging such treatment.

²³ Case Processing Manual (Aug. 26, 2020), <https://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.pdf>.

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

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

OCR thanks the District and Amanda J. Cordova and Marcy L. Gutierrez for their courtesy and cooperation extended to OCR during its investigation. If you have any questions, please contact the case team by email at OCRSanFrancisco@ed.gov or phone at (415) 486-5555.

Sincerely,

/s/

Kana Yang
Team Leader

Enclosure

cc: Amanda J. Cordova and Marcy L. Gutierrez