

Irvine Unified School District
Resolution Agreement
OCR No. 09-17-1564

The Irvine Unified 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), and Title II of the Americans with Disabilities Act of 1990 (Title II) and their implementing regulations in the above-referenced OCR case number.

I. Course Descriptions

- A. To the extent the District provides course descriptions of programs and activities for parents/guardians of students in regular education programs and activities, it will provide equivalent course descriptions for parents/guardians of students participating in special education programs and services.
- B. The District will ensure that parents/guardians of students participating in special education programs and activities have access to course descriptions relevant to special education students by including them in its course catalogue, posting them online, and providing copies at Individualized Education Program (IEP), Section 504 and Information meetings.

II. Notice of Information Night Meeting

- A. The District will distribute a memorandum to all District elementary schools directing them to provide adequate notice of the parent information night regarding middle school.
- B. The notice to parents/guardians will include a reminder that important information regarding electives, directed studies, and zero period physical education pertaining to all students, including students participating in special education programs and activities will be covered in the parent information night presentation, and that all students, including students with disabilities, shall have access to such courses consistent with their individualized needs.

III. Data Collection

- A. The District will collect data regarding the number of special education students enrolled in electives, Directed Studies, and zero period PE.
- B. The District will evaluate this data on an annual basis to ensure that students with disabilities are provided equal access to the District's programs and activities.

IV. Written Guidance

- A. The District will distribute written guidance to all guidance counselors, special education teachers, school psychologists, Section 504 Coordinators, and IEP case carriers, explaining that students with disabilities shall have equal access to the School's programs and activities, including electives and zero period courses, and such students should not be counseled or otherwise discouraged from taking electives or zero period (except and unless such courses are inappropriate based on their individualized disability related needs and as determined by their IEP or Section 504 team).

V. Monitoring

- A. Course Descriptions: By April 1, 2018, the District will submit to OCR course descriptions for Directed Studies and any other courses pertaining to students receiving special education services, submit copies of the revised pages of the course catalogue, and send a link to its online course descriptions.
- B. Notice of Information Night: By April 1, 2018, the District will submit to OCR a copy of the memo and a copy of the notice described in II above.
- C. Data Collection: By April 1, 2018, the District will submit to OCR the data and analysis described in III above for the 2017-2018 and 2018-2019 school years.
- D. Written Guidance: By April 1, 2018, the District will submit a draft of this guidance to OCR for review and approval. Within 30 days of approval by OCR, the District will provide OCR with documentation that it has distributed the guidance as described above in provision IV.A.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the District understands that during the monitoring of this Agreement, 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 Section 504 and Title II and implementing regulations, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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) calendar days to cure the alleged breach.

_____/s/_____
Signature of District Designee

01/18/2018
Date