

RESOLUTION AGREEMENT
Vermont College of Fine Arts
OCR Complaint No. 01-17-2097

Vermont College of Fine Arts (College) has voluntarily entered into this agreement (Agreement) to resolve the allegations in the above-referenced complaint. The College agreed to resolve this complaint prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*. This Agreement is for the purpose of resolving a disputed claim and is not, and will not be construed as an admission by the College of a violation of Section 504 or its implementing regulations or an admission of liability, fault, or wrongdoing of any kind by the College. The College assures that it will take the following actions.

Action Item 1: Snow Removal Policy and Procedures

The College will develop a policy and procedures to ensure that snow removal is completed in a manner that ensures accessibility for students and staff with disabilities. In developing its policy and procedures, the College will consider, for example, (a) creating a list of priority paths for snow removal and/or other protocols to allow for rapid and complete snow removal in areas that are priorities for disability-related reasons, (b) implementing quality control measures, such as periodic inspections of ramps and walkways, (c) creating a hotline or online system for students and staff to report snow removal issues, and (d) soliciting periodic input from students and staff regarding its snow removal practices and protocols. The College will designate an individual(s) responsible for implementation of the policy and procedures.

Reporting Requirements:

- a. By **March 1, 2021**, the College will provide OCR with (i) a copy of its snow removal policy and procedures and (ii) documentation showing that the College has disseminated the policy and procedures by email to appropriate College staff.
- b. By **June 1, 2022**, for the 2021-2022 school year, the College will provide OCR with documentation showing that the College has taken the necessary steps to implement the snow removal policy and procedures. Along with other documentation showing implementation of the plan, the College will provide a log of all situations during the 2021-2022 school year in which students with disabilities notified the College of problems encountered regarding snow removal—the log will specify the student's name, the name of the staff person contacted, the nature of the concern, and the date and manner in which the concern was addressed.

Action Item 2: Mailroom Access

The College will investigate which entrance(s) to College Hall are unlocked on the weekends and during what times. If the College finds there are times when students without mobility impairments can access the mailroom even when College Hall is closed, the College will create a protocol to ensure that its mailroom is open and accessible to students with mobility impairments

to the same extent as it is to students without mobility impairments. The College will also send an email to students who have registered with the College as having mobility impairments notifying them of the hours the mailroom will be open and whom to contact (name/title/contact information) if they encounter any issues accessing the mailroom during those times.

Reporting Requirements:

- a. By **March 1, 2021**, the College will provide OCR with documentation showing that it has investigated which entrance(s) to College Hall are unlocked on the weekends and during what times.
- b. If the College finds there are times when its mailroom is only accessible to students without mobility impairments, the College will provide OCR, by **April 1, 2021**, with (i) a copy of the protocol described in Action Item 2, (ii) documentation showing that the College has disseminated the protocol to appropriate College staff, and (iii) a copy of the email sent to students described in Action Item 2. In addition, if any students with mobility impairments report issues accessing the mailroom during times students without mobility impairments have access, the College will provide OCR documentation showing its handling of such issues.

Action Item 3: Trainings

- a. The College will provide training, which may be conducted via a videoconference platform such as Zoom, to all staff who are involved in snow removal issues (including, but not limited to, the Accessibility Services Coordinator and Section 504 Coordinator, the Vice President for Campus Planning, and the Executive Director of Facilities Operations) on:
 - i. the physical accessibility requirements of Section 504, including the obligation that exterior accessible routes be maintained in operable working condition including during inclement weather; and
 - ii. the College's updated snow removal policy and procedures (*see* Action Item 1).
- b. The College will provide Section 504 training, which may be conducted via a videoconference platform such as Zoom, to all academic program directors, including but not limited to the XXXXXXXXXXXX Program; the Accessibility Services Coordinator and Section 504 Coordinator; and all staff who are responsible for processing requests for academic adjustments, auxiliary aids and services, and/or disability-related housing modifications. The Section 504 training will include a discussion of the following:
 - i. the College's obligation to ensure that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any postsecondary education aid, benefits, or services;

