

RESOLUTION AGREEMENT
TIMES² STEM Academy
OCR Complaint No. 01-18-1046

TIMES² STEM Academy (TIMES²) has voluntarily entered into this agreement (Agreement) to resolve Office of Civil Rights (OCR) Complaint No. 01-18-1046, prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*.

Action Item 1

TIMES² will provide training, virtually or in person, on the subject of Section 504 and Title II to the following individuals from TIMES²: 504/Title II coordinator, the building principal, teachers, and any other staff responsible for the implementation of Section 504 and Title II plans. The training will be conducted by an individual(s) knowledgeable about the laws and issues pertaining to Section 504 and Title II compliance. The training will include: (a) the general provisions of Section 504 and Title II, including the obligation to provide a free appropriate public education (FAPE) to students with disabilities; (b) TIMES²'s obligation to implement Section 504 plans; and (c) information explaining that in order for a team to include a provision in a Student's Section 504 plan, the team must explicitly discuss that provision in the team meeting and reach agreement as to what the provision means.

Reporting Requirement 1: By **October 31, 2020**, TIMES² will submit a copy of its training materials, the credentials of the trainer, and documentation (e.g., sign-in sheets) showing the names and titles of the individuals who attended the training and the date(s) the training was conducted.

Action Item 2

TIMES² shall convene a Section 504 team meeting, virtually or in person, during which TIMES² will:

- a. Invite the Student's parent(s) to share any updated medical information concerning the Student and needed services, and any concerns regarding the implementation of the Student's Section 504 plan;
- b. Review each term of the Student's Section 504 Plan, reach agreement on what each term means, and determine whether each term remains necessary for the Student to receive a free appropriate public education under Section 504, and whether any additional or different terms are needed;
- c. Determine whether, and if so which and how many, compensatory services are needed to meet the Student's needs under Section 504, in light of alleged failures to implement with consistency various provisions of the Student's Section 504 plan; and
- d. Provide the Student's parent(s) with a meaningful opportunity to offer input into these determinations, notice of the determinations made, and notice of the procedural safeguards available to them under 34 C.F.R. § 104.36.

Reporting Requirement 2(a): By **September 30, 2020**, TIMES² will submit to OCR a copy of the team meeting minutes for the above-described team meeting, which will

specifically address each Action Items (a) – (d), and demonstrate that the decision was a team decision made in good faith.

Reporting Requirement 2(b): By **September 30, 2020**, TIMES² will submit to OCR documentation showing whether/which compensatory services are to be provided, if compensatory services are to be provided, and a schedule for providing such services.

Action Item 3

TIMES² shall develop a plan to ensure that all TIMES² employees responsible for implementing any provision of a Section 504 plan are given an explanation of the meaning of all provisions they are responsible for implementing, as discussed in the team meeting.

Reporting Requirement 3(a): By **November 1, 2020**, TIMES² will submit to OCR a letter describing this plan and how it will be implemented.

Reporting Requirement 3(b): By **December 31, 2020**, TIMES² will submit to OCR a documentation sufficient to show that the plan has been implemented.

TIMES² understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the Agreement understands that during the monitoring of this Agreement, if necessary, OCR may visit TIMES², interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether TIMES² has fulfilled the terms and obligations of this Agreement. Upon TIMES²'s satisfaction of the commitments made under the Agreement, OCR will close the case.

TIMES² understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce this Agreement, OCR shall give TIMES² written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The Agreement will become effective immediately upon the signature of TIMES²'s representative below.

By: /s/Jasmin Blackmar

Date: September 16, 2020

Jasmin Blackmar, President
TIMES² Academy Board of Directors