

**RESOLUTION AGREEMENT**  
**Upper Cape Cod Regional Vocational Technical School**  
***OCR Complaint No. 01-21-1630***

The Upper Cape Cod Regional Vocational Technical School (School) has entered into this agreement to resolve the above-referenced complaint prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*. The School assures that it will take the following actions.

**Action Item 1: Individual Remedy for the Student**

By March 1, 2022, after providing proper written notice to the Student's parents, the School will convene a team meeting to determine: (a) whether, since XXXXXXXXXXXX, the Student experienced effects of the alleged discrimination by the XXXXXXXX Teacher and/or the School's alleged inadequate response to notice of same (e.g., the Student had adverse changes in her academic performance, behavior, attendance, and/or emotional state); (b) whether the Student's current Individualized Education Program (IEP) should be further revised to address any changes in her needs resulting from these effects; and (c) whether compensatory services are appropriate for the Student because she did not receive a free appropriate public education as a result of these effects. If the School and the Student's parents cannot find a mutually agreeable time prior to March 1, 2022, this deadline can be extended with notice and agreement from OCR. The School will ensure that the team includes a group of persons who are knowledgeable about the Student and her disability, the meaning of the Student's evaluation data, and the placement options.

**Reporting Requirements**

By April 1, 2022, the School shall provide OCR with:

- i. Team meeting or other notes, including the names/titles of attendees, minutes of the meeting, an assurance that the Student's parents were provided notice of their procedural safeguards, and, if applicable, an explanation of the School's method for determining the type and amount of compensatory services deemed appropriate for the Student; and
- ii. Documentation showing the Student received any compensatory services deemed appropriate by the team and/or a schedule for providing the Student with any remaining services.

**Action Item 2: Section 504/Title II Grievance Procedures**

The School will review and revise as necessary its policies and procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504, Title II, and their implementing regulations at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, otherwise known as the School's Section 504/Title II Grievance Procedures.

**Reporting Requirements:**

- i. By April 1, 2022, the School will submit its revised Section 504/Title II Grievance Procedures to OCR for its review and approval.
- ii. Within thirty (30) calendar days of OCR’s approval, the School will adopt, implement, and publish the revised Section 504/Title II Grievance Procedures. The School will make this information available through the School’s website and any other additional means of notification the School deems effective to ensure that the information is disseminated. The School will provide OCR with documentation that it has completed this item, including copies of written notices to students, parents/guardians, administrators, and staff; a copy of any publications (such as student handbooks) containing the Procedures; and a link to any website containing the Procedures.

**Action Item 3: Training**

By May 1, 2022, the School will provide Section 504/Title II training to all teachers, special education administrators, Section 504/IEP team chairs, and other staff in the School responsible for providing an educational environment free of disability discrimination and responding to complaints of disability discrimination. The training will include the School’s obligations to (1) ensure that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the School; (2) reevaluate a qualified student with a disability before making a significant change in that student’s placement (e.g., restricting the student’s full participation in a particular shop class, or portion thereof); (3) respond promptly and equitably to all complaints of disability discrimination pursuant to the School’s Section 504/Title II Grievance Procedures; and (4) convene a Section 504 or IEP team meeting if the School has a reason to suspect that the student may not be receiving or may not have received a free appropriate public education, including but not limited to if the needs of the student have changed as a result of any discrimination or harassment that a student was subjected to, and whether the student’s Section 504 Plan or IEP needs to be changed in response, including a discussion of compensatory services, if appropriate.

**Reporting Requirements**

- i. By April 15, 2022, the School will submit to OCR its proposed training materials and the name, title, and any relevant credentials of the trainer(s) for approval.
- ii. Within 30 school days of OCR’s approval of the above-referenced materials, the School will provide to OCR a list of the individuals who attended the training, their positions, and the date(s) the training was conducted.

**Action Item 4: Investigations of Complaints**

By December 31, 2022, and pursuant to the School’s revised Section 504/Title II Grievance Procedures, the School will conduct and/or complete its resolution process for all possible incidents of disability discrimination of which it has notice that occurred up to that date during

the 2021-2022 and 2022-2023 school years, including the incidents that gave rise to this complaint.

**Reporting Requirement**

By January 15, 2023, the School will provide to OCR documentation of:

- i. Written notice of the resolution of the incidents that gave rise to this complaint that have been provided to the relevant parties; and
- ii. A summary of the School’s response to all incidents described in Action Item 4, which must include the number of incidents that were resolved, a brief summary of the underlying facts of each incident, and a description of how the School responded.

The School 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 School understands that during the monitoring of this Agreement, if necessary, OCR may visit the School, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the School has fulfilled the terms and obligations of this Agreement. Upon the School’s satisfaction of the commitments made under the Agreement, OCR will close the case. The School understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR shall give the School 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 the School’s representative below.

By: /S/ Roger Forget \_\_\_\_\_  
Superintendent or Designee

Date: 3/1/2022 \_\_\_\_\_