

**Voluntary Resolution Agreement
Utah Connections Academy
OCR Case Number 08-21-1434**

The United States Department of Education (Department), Office for Civil Rights (OCR), initiated investigation of the above-referenced complaint against Utah Connections Academy, which for purposes of this agreement includes its past and present employees, agents, attorneys, insurers, predecessors, successors, affiliated entities, officers, directors, members, and assigns (collectively, “the School”), pursuant to Section 504 of the Rehabilitation Act of 1973 and its implementing regulations at 34 C.F.R. Part 104 (Section 504) and Title II of the Americans with Disabilities Act of 1990 and its implementing regulation at 28 C.F.R. Part 35 (Title II), which prohibit discrimination on the basis of disability in programs and activities that receive Federal financial assistance from the Department.

During OCR’s investigation, before OCR had made any findings, the School indicated its willingness to take steps necessary to ensure compliance with Section 504 and Title II. Pursuant to Section 302 of OCR’s *Case Processing Manual*, a complaint may be resolved when, before the conclusion of an investigation, a recipient expresses an interest in resolving the allegations and OCR determines that it is appropriate to resolve them because OCR’s investigation has identified concerns that can be addressed through a resolution agreement.

Accordingly, to resolve the issues of this investigation, the School voluntarily agrees to take the following actions. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the School.

Individual Remedies

1. The School will send a signed letter on the School’s letterhead to the Student stating that the Student graduated from the School in May 2021 with a cumulative GPA of XXX and a class ranking of XXX, and that by achieving the highest XXX in her class, she is eligible for the honor of valedictorian.

REPORTING REQUIREMENT 1: Within 15 days of signing this Agreement,
the School will provide OCR with a copy of the letter sent to the Student.

Policies and Procedures

2. The School will draft for OCR’s review and approval revised non-discrimination and anti-retaliation policies and procedures that apply to students and families and comply with Section 504 and Title II and their implementing regulations. The revised policies and procedures will, at a minimum, include the following:
 - a. A statement that the School does not discriminate on the basis of disability in any of its programs or activities;
 - b. Grievance procedures that incorporate appropriate due process standards and provide

for the prompt and equitable resolution of complaints alleging disability discrimination and/or retaliation;

- c. A statement that the School will not retaliate, intimidate, threaten, coerce, or interfere with any individual in the exercise or enjoyment of any right protected by Section 504, Title II, and its implementing regulations and will take appropriate action against those individuals found to have retaliated;
- d. The name, title, and contact information for the School's Section 504/Title II Coordinator.

REPORTING REQUIREMENT 2: Within 60 days of signing this Agreement, the School will provide a copy of its revised non-discrimination and anti-retaliation policies and procedures to OCR for review and approval.

3. The School will draft for OCR's review and approval revised policies and procedures for selecting a valedictorian/salutatorian that make clear: a) who will participate in the selection process; b) how many students will be considered for the honors based on unweighted GPA and class rank each year; and c) the criteria that will be considered in determining a valedictorian/salutatorian and how that criteria will be weighed.

REPORTING REQUIREMENT 3: Within 60 days of signing this Agreement, the School will provide a copy of its revised policies and procedures for selecting a valedictorian/salutatorian to OCR for review and approval.

4. The School will publish and disseminate its revised non-discrimination and anti-retaliation policies as well as its revised policies and procedures for selecting a valedictorian/salutatorian to all families, students, and staff on its website and by using any other of its standard methods for disseminating new policies and procedures that impact the School's families and students.

REPORTING REQUIREMENT 4: Within 15 days of OCR's approval of the revised policies required by Terms 2 and 3, the School will provide OCR documentation demonstrating that it has published and disseminated the revised policies.

Training

5. The School will draft for OCR's review and approval training materials for all administrators and staff that address, at a minimum, Section 504's and Title II's prohibitions on discrimination against people with disabilities, disparate treatment of people with disabilities, and retaliation against individuals exercising rights protected by Section 504 or Title II. The training should also address the School's revised policies and procedures for selecting a valedictorian/salutatorian.

REPORTING REQUIREMENT 5A: Within 45 calendar days of OCR's approval of the School's revised non-discrimination and anti-retaliation policies

required by Term 2, the School will provide for OCR’s review and approval the draft training materials required by Term 5.

REPORTING REQUIREMENT 5B: Within 45 calendar days of OCR’s approval of the draft training materials or during annual Summer training, the School will deliver the training to all administrators and staff of the School and provide OCR with: (1) the name and qualifications of the person who provided the training; (2) the names and job titles of persons attending the training; (3) the date and the agenda for the training; and (4) a copy of any materials distributed at the training.

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 this 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 of this Agreement and is in compliance with the regulations implementing Section 504 and Title II, which were at issue in this case.

The School understands that OCR will not close the monitoring of this Agreement and dismiss the case until OCR determines that the School has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II.

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

For Utah Connections Academy:

/s/

3/11/22
Date