

RESOLUTION AGREEMENT

State of Alaska, Division of Vocational Rehabilitation
OCR Reference No. 10183003

I. INTRODUCTION

State of Alaska, Division of Vocational Rehabilitation (AK DVR) enters into this Resolution Agreement (Agreement) to resolve the allegations in a complaint (Reference No. 10183003) filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Title VI of the Civil Rights Act of 1964 (Title VI) and Section 504 of the Rehabilitation Act of 1973 (Section 504).

II. RESOLUTION PROVISIONS

A. Policies and Procedures

As a state formula grant funded by the Department of Education's Rehabilitation Services Administration, AK DVR is required to carry out the purpose of Title I and Title VI of the Rehabilitation Act, as amended. AK DVR adheres to all sections of 34 CFR 361, including, but not limited to: 34 CFR 361.18(c)(2)(ii)(K), 361.18(d)(2)(ii), 361.42(c)(2)(i) & (ii)(A), 361.51(a)-(c), 361.54(b)(3)(i)(G), 361(a)-(k).

Additionally, AK DVR complies with the requirement to enter into cooperative agreements with recipients of grants for services to American Indians under 34 CFR 361.24(d).

AK DVR affirms that its policies and procedures conform to all applicable federal civil rights laws. AK DVR is an equal opportunity service and benefit provider that 1) does not discriminate against clients or prospective clients based on race, color, national origin, or disability; 2) prohibits retaliation against those who raise concerns regarding race, color, national origin, or disability discrimination; and 3) provides reasonable accommodations to qualified clients and prospective clients with disabilities.

B. Training

Within 45 calendar days of the signing this Agreement, AK DVR will provide training to its counselors in the Wasilla Office regarding the

prohibitions against race, color, national origin, and disability discrimination, and retaliation, as well as the provision for auxiliary aids and services for effective communication to qualified AK DVR clients and prospective clients, with impairments. The training may include the “Valuing Diversity” and “Alaska Tribal Vocational Rehabilitation” identified by the AK DVR.

Reporting:

Within 14 calendar days of providing the training, AK DVR will provide OCR with a report demonstrating that it completed the training. The report will include, at a minimum: 1) the date and times for the training(s); 2) the names and titles of the persons who took the training; 3) a description/agenda for the training; 4) the name and qualifications of the trainer; and 5) a copy of the materials used for the training.

C. **Response to Complainant**

AK DVR will send a letter to the person who was the subject of this OCR complaint (Complainant). The letter will notify the Complainant that, if he decides to reapply to AK DVR for services, or if he has already applied, the Complainant will be promptly assessed for AK DVR eligibility following the same procedures used for all clients, including scheduling any assessments the DVR determines are required for the Complainant. The letter will also notify the Complainant that AK DVR will also provide support for the Complainant as necessary throughout the application process, similar to the support provided to all other DVR clients who require additional assistance.

Reporting:

1. By May 4, 2018, AK DVR will provide OCR with a draft of the letter it intends to send to the Complainant pursuant to this section. OCR will review the letter and notify AK DVR if OCR requires any changes to the letter. If OCR requires changes, AK DVR will make the changes and resubmit the letter to OCR within 21 calendar days. OCR and AK DVR will repeat this process until OCR approves the draft letter.
2. Within 14 days of receiving OCR’s approval of the letter, AK DVR will send OCR a copy of the letter sent to the Complainant.

III. GENERAL PROVISIONS

- A. AK DVR understands that by signing this Agreement, it agrees to provide OCR data and other information in a timely manner in accordance with the reporting requirements of this Agreement. Further, AK DVR understands that during the monitoring of this Agreement, if necessary, OCR may visit AK DVR, interview staff and clients, and request such additional reports or data as are necessary for OCR to determine whether AK DVR has fulfilled the terms of this Agreement.

- B. Upon OCR's satisfaction of the commitments made under this Agreement, OCR will close the case.

- C. AK DVR 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 will give AK DVR written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Signed:

_____/s/_____
Heidi Drygas (or her designee)
Commissioner
Department of Labor and Workforce Development
State of Alaska

April 26, 2018
Date