

## **VOLUNTARY RESOLUTION AGREEMENT**

The Honors Academy of Literature (the school) voluntarily agrees to take the following actions to resolve OCR reference number 10191096 filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II). Voluntary resolution is not an admission of wrongdoing.

### **A. Review of Policies, Procedures, and Practices**

#### Action Items

1. The school will review and revise, as necessary, its written policies, procedures and/or practices (collectively “policy”) to ensure that any restraints, seclusions, or classroom removals of disabled students are tracked, documented, and do not result in a denial of a free appropriate public education (FAPE) for the student.

#### Reporting Requirements

- a) By January 1, 2020, the school will submit to OCR for review and approval its policy, current or revised, pursuant to section A.1, above. OCR will review the policy and notify the school if any revisions to the policy are required in order to comply with Section 504 and Title II, and the school will re-submit the revised policy within 21 days of OCR’s notice. OCR and the school will repeat this process until OCR approves the policy.
- b) Within 60 days of receiving OCR’s approval of the policy, the school will submit to OCR a report demonstrating that the school adopted the approved policy.

### **B. Training to Staff**

#### Action Item

1. The school will train its teaching, administrative, and support staff on the policy approved pursuant to A.1(a) above, to ensure that any restraint, seclusion, or removals from the classroom of disabled students are tracked,

recorded, and done in a manner consistent with the obligation to provide a FAPE.

### Reporting Requirements

a) By January 1, 2020, the school will provide OCR with a proposed training agenda and a description of the qualifications of the proposed trainer. OCR will review the agenda and qualifications of the proposed trainer to ensure they will satisfy the requirements of B.1 above. OCR will notify the school if OCR requires any changes to the agenda or additional information about the qualifications of the proposed trainer, and the school will re-submit the agenda and/or qualifications within 21 days of receiving OCR's notice. OCR and the school will repeat this procedure until OCR approves the training.

b) Within 60 days of OCR's approval of the proposal, the school will provide the staff training. Within 30 days of the completion of this training, the school will provide OCR with a sign-in sheet that documents the names and title of attendees, and the date and location of the training.

## A. Student-Specific Remedy

### Action Item

1. The school will send a letter to the parents of the subject student explaining that it is reviewing and, to the extent necessary, revising its policies, procedures, and practices regarding restraints, seclusions, or classroom removals. The letter will express regret if any removals, restraints or instances of seclusion impacted the student's FAPE. The letter will also include an offer by the school to provide the student with a free appropriate public education if the student returns to the school.

### Reporting Requirement

a) By October 1, 2019, the school will provide OCR with a draft copy of the letter to the parents. OCR will review the letter and notify the school if OCR requires any edits to the letter, and the school will re-submit the draft notice within 21 days of OCR's notice. OCR and the school will repeat this procedure until OCR approves the letter.

b) Within 21 days of receiving OCR's approval of the letter, the school will provide OCR with a report demonstrating that it sent the letter to the parents.

**D. General Monitoring Principles**

1. The school understands that by signing this agreement, it agrees to provide OCR data and other information in a timely manner. Further, the school understands that during the monitoring of this agreement, OCR may visit the school's campus, 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 regulation implementing Section 504 and Title II which were at issue in this case. Upon completion of the obligations under this agreement, OCR shall close this case.
2. The school is not admitting to any violations of Section 504 or Title II or their implementing regulations, by signing this agreement.
3. The school understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings, including enforcing the specific terms and obligations of this agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings, including to enforce this agreement, OCR shall give the school written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Signed: \_\_\_\_\_/s/\_\_\_\_\_

Dr. Andi Morency  
Executive Director

Date: \_\_\_\_\_July 24, 2019\_\_\_\_\_