

VOLUNTARY RESOLUTION AGREEMENT

Cassia County Joint School District 151 (District) enters into this Voluntary Resolution Agreement (Agreement) to resolve the allegation in a complaint (OCR Reference No. 10221388) filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulation, 28 C.F.R. Part 35.

I. Resolution Provisions

A. Action Item – Open Enrollment Policies and Procedures

1. The District will revise its open enrollment application form to be consistent with its Open Enrollment Policy (Policy No. 632).

Reporting Requirements

2. By May 1, 2023, the District will submit to OCR for review and approval a copy of the revised application.
3. Within 30 days of receiving OCR's written approval of the revised application, the District will provide OCR with documentation demonstrating that the revised application has been adopted by the District.

B. Action Item – Notice and Training to Employees

1. The District will provide a copy of the open enrollment policy and revised open enrollment application to all school principals and District administrators involved in the open enrollment process.
2. The District will provide training to all school principals and District administrators involved in the open enrollment process regarding its open enrollment policies and application process. The training will include, at a minimum:
 - a. A review of the relevant Section 504 and Title II regulations relating to the District's obligation not to discriminate on the basis of disability;
 - b. A review of the trainee's responsibilities under the open enrollment policy;
 - c. Examples of denials or revocations of open enrollment applications that would constitute discrimination on the basis of disability; and

- d. The position title and contact information for the District employee who is responsible for responding to questions regarding the open enrollment process.

Reporting Requirements

3. By the first day of the 2023-2024 school year, the District will provide OCR with documentation verifying its compliance with Section I.B.1.
4. By the first day of the 2023-2024 school year, the District will provide OCR, for its review and approval, a copy of the proposed training materials, including information about the identity and qualifications of the trainer(s).
5. Within 90 days of receiving OCR's written approval of the training plan, the District will provide OCR documentation demonstrating that the District provided the training. At a minimum, this will include the time and date of the training(s) and all materials distributed and presented to trainees during the training(s), and a list, by name and job position, of persons trained, and the name of the trainer(s).

C. Action Item – Individual Remedy for the Student

1. The District will issue a letter to the parent of the student identified in this complaint outlining the steps the District has agreed to take under this agreement. The letter will include assurances that the District does not tolerate discrimination on the basis of disability in its programs, including the open enrollment process, and notice to the parents that the student is welcome to reapply for open enrollment for the 2023-2024 school year.

Reporting Requirements

2. By May 1, 2023, the District will submit to OCR for review and approval a copy of the letter.
3. Within 45 days of receiving OCR's approval of the letter, the District will submit to OCR documentation of its efforts to comply with Section I.C.1 above. This will include documentation that the District sent the letter.

II. General Provisions

- A. By signing the resolution agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. During the monitoring of the resolution agreement, if

necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of the resolution agreement.

- B. The District understands that OCR will not close the monitoring of the agreement until such time as OCR determines that the District is in compliance with the terms of the agreement and the statute and regulations at issue in the case.
- C. The District understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings in the event of breach. Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60 days to cure the alleged breach.

/s/

March 28, 2023

Sandra Miller
Superintendent
Cassia County Joint School District 151

Date