

**Great Oaks Career Campuses  
Resolution Agreement  
OCR Docket #15-18-1075**

Great Oaks Career Campuses (Great Oaks) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the above-referenced complaint and to ensure its compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, and 34 C.F.R. Part 100, Appendix B, Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Disability in Vocational Education Programs.

Great Oaks agrees to take the following actions:

**Individual Remedy**

1. By [redacted], Great Oaks will reimburse expenses the Student and his parents incurred in [redacted]. [sentence redacted].

**Reporting Requirement:** By April 3, 2020, Great Oaks will provide OCR with documentation showing that Great Oaks implemented Item 1.

**Campus-level Remedies**

2. By March 15, 2020, Great Oaks will submit a copy of board of education policies, procedures, and guidelines<sup>1</sup> regarding the district admissions process, including situational assessments, placement determination, and participation in the member districts' processes. Great Oaks will work with OCR to identify areas of the policies/procedures/guidelines that do not comply with the requirements of Section 504 and Title II, as well as Appendix B of 34 C.F.R. Part 100.

**Reporting Requirement:** By March 15, 2020, Great Oaks will provide OCR with a copy of its policies, procedures, and guidelines.

3. By August 1, 2020, Great Oaks will revise policies, procedures, and guidelines to comply with the requirements of Section 504 and Title II, as well as Appendix B of 34 C.F.R. Part 100. The drafted and revised policies, procedures, and guidelines will be submitted to OCR for review and approval. At minimum, the policies, procedures, and guidelines should provide the following:

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<sup>1</sup> Although the plural is used throughout this agreement, OCR is not requiring Great Oaks to have more than one policy nor is OCR requiring Great Oaks to have one or more procedures or guidelines.

- A. Great Oaks shall not, on the basis of disability, exclude a qualified student from participation in, deny such student the benefits of, or otherwise subject such student to discrimination under any of its programs or activities;
- B. Great Oaks, in providing any aid, benefit, or service, may not, directly or through other arrangements, on the basis of disability, deny a qualified student the opportunity to participate in or benefit from the aid, benefit, or service;
- C. When making admission decisions, Great Oaks may not judge applicants on the basis of criteria that have the effect of disproportionately excluding persons of a particular disability, unless Great Oaks can demonstrate that such criteria have been validated as essential to participate in a given program and that alternative equally valid criteria that do not have such a disproportionate adverse effect are unavailable;
- D. Great Oaks will ensure equal access for students with disabilities to its programs. Specifically, Great Oaks may not deny students with disabilities access to vocational education programs or courses because of architectural or equipment barriers, or because of the need for related aids and services or auxiliary aids. If necessary, Great Oaks will:
  - (i) modify instructional equipment;
  - (ii) modify or adapt the manner in which the courses are offered;
  - (iii) house the program in facilities that are readily accessible to students with a disability (*i.e.*, mobility impairment) or alter facilities to make them readily accessible to such students; and
  - (iv) provide related aids or services that assure secondary students an appropriate education.
- E. Great Oaks must place secondary-level students with disabilities in the regular educational environment of any vocational education program to the maximum extent appropriate to the needs of the student unless it can be demonstrated that the education of the student with the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. If a separate class or facility is identifiable as being for persons with a disability, the facility, the programs, and the services must be comparable to the facilities, programs, and services offered to students without a disability; and
- F. Great Oaks may place students with disabilities in a program only after it satisfies the provisions of 34 C.F.R. Part 104 relating to evaluation, placement, and procedural safeguards.

**Reporting Requirement:** By August 1, 2020, Great Oaks will provide OCR with a copy of its policies, procedures, and guidelines developed to implement Item 3.

**Reporting Requirement:** By June 30, 2021, Great Oaks will provide OCR with a report that lists students who applied to Great Oaks for the 2021-2022 school year. The report will identify which students to Great Oaks' knowledge have an IEP or Section 504 plan, whether they were admitted or denied, and whether Great Oaks later rescinded an initial acceptance.

4. Within 60 calendar days after OCR's approval of Great Oaks' policies, procedures, and guidelines developed and/or revised pursuant to Item 3, Great Oaks will adopt, implement and make available for public access the approved policies, procedures, and guidelines, including posting on its public website on either its main page or readily available via a search on its website using phrases like "disability," and "Section 504."

**Reporting Requirement:** Within 60 calendar days after OCR's approval of Great Oaks' policies, procedures, and guidelines developed and/or revised pursuant to Item 3, Great Oaks will provide OCR with documentation showing implementation of Item 4. The documentation should include: copies of any electronic or written notice sent to students, parents, employees and Great Oaks' member districts; a description of how the notices were disseminated; and web links to where the documents are posted on Great Oaks' website(s).

5. Within 120 calendar days after OCR's approval of Great Oaks' policies, procedures, and guidelines developed and/or revised pursuant to Item 3, Great Oaks will provide training to the Director of Student Services, all campus building administrators, and any staff involved in making admission decisions, participating in situational assessments of student applicants, determining placement of student applicants, and/or participating in an IEP or Section 504 meeting of a student applicant at the member district, on the approved policies, procedures, and guidelines.

**Reporting Requirement:** Within 120 calendar days after OCR's approval of Great Oaks' policies, procedures, and guidelines developed and/or revised pursuant to Item 3, Great Oaks will provide documentation showing that Great Oaks implemented Item 5. The documentation should include: the date(s) of the training(s); copies of the training agenda; any presentation(s) and handout materials used for the training(s); the name(s) and qualifications of the trainer(s); a list of the name and job positions of attendees at the training(s); and a sign-in sheet with the names and job positions of attendees at the training(s).

## **General Requirements**

Great Oaks 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, Great Oaks understands that during the monitoring of this Agreement, if necessary, OCR may visit Great Oaks, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether Great Oaks has fulfilled the terms and

obligations of the Agreement. Upon Great Oaks’ satisfaction of the commitments made under the Agreement, OCR will close the case.

Great Oaks understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the Agreement and/or applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give Great Oaks 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 Great Oaks’ representative below.

/s/

2/28/2020

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President or Designee

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Date