

Voluntary Resolution Agreement
OCR Complaint No. 01-13-1245
Windsor Board of Education

The Windsor Board of Education (“District”) voluntarily agrees to take the following steps to partially resolve the above-referenced complaint, in which for the remaining allegations OCR found insufficient evidence of a violation. This Voluntary Resolution Agreement (Agreement) does not constitute an admission by the District of any violation of Section 504 of the Rehabilitation Act of 1973 and its implementing regulation found at 34 C.F.R. Part 104 (Section 504) or Title II of the Americans with Disabilities Act of 1990 and its implementing regulation found at 28 C.F.R. Part 35 (Title II). Nothing herein shall be deemed to be an admission or acknowledgment by the District that the District is in any way liable to the Complainant or the Student, or that the District harmed or damaged the Complainant or the Student, or violated any rights the Complainant or Student may have, or in any respect treated the Complainant or Student unfairly or unlawfully.

Action Steps

1. By **September 30, 2014**, the District will expunge from the Student’s disciplinary record the notation of a two-day suspension occurring in November, 2012. All other related records, including incident reports, witness statements, and minutes from the manifestation determination Planning and Placement Team meeting shall remain in the Student’s educational record.
2. By **November 15, 2014**, the District will review its procedure for disseminating behavior intervention plans (“BIP”s) to all school personnel who have a legitimate educational interest in receiving such plans, including substitute school personnel. The District will include in its procedure a mechanism for training relevant school personnel on implementation of individual student BIPs.

Reporting Requirements:

1. By **October 30, 2014**, the District will provide OCR with confirmation that the two-day suspension occurring in November, 2012 has been expunged from the Student’s disciplinary record.
2. By **November 30, 2014**, the District will submit its procedure for disseminating behavior intervention plans to all school personnel who have a legitimate educational interest in receiving such plans, for OCR’s review and approval.

The District understands that by signing this Voluntary Resolution Agreement, it agrees to provide data and other information in a timely manner. Further the District understands that during the monitoring of this Agreement, 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 this Agreement. The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, as well as their implementing regulations at 34 C.F.R. Section 104.44 and 28 C.F.R. Sections 35.130 and 35.160.

The District also 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 shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

Date: 9/16/2014

/s/

Craig A. Cooke, Ph.D., Superintendent of School