

Resolution Agreement
Medway Public Schools
Complaint No. 01-15-1176
Agreement

Medway Public Schools (District) voluntarily agrees to take the following steps to resolve the above-referenced complaint, consistent with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II), which incorporates by reference 34 C.F.R. Section 100.7(e). This Agreement does not constitute an admission by the District of any violation of Section 504 or Title, and this Agreement is entered into for resolution purposes only. The District understands that OCR will not issue findings with regard to the allegations set forth in OCR Case Number 01-15-1176, except in the event that the District fails to comply with this Agreement.

Student Specific Remedies

- I. By **December 15, 2015**, District will remove the Student's incident reports, dated March 27, April 2, and May 19, 2015, from her cumulative file.

Reporting Requirement:

By this same date, the District will provide documentation showing that it has fulfilled the terms of this provision.

- II. By **January 4, 2016**, District will oversee the XX XXXXXX Collaborative's (Collaborative) and/or XXXXXXXX School's (School) completion of the following steps with regard to the Student:
- 1) Change the Student's Term 4 academic and effort grades to Withdrawn;
 - 2) Recalculate the Student's 2014-2015 final grades based on terms 1, 2, and 3; and
 - 3) Notify the parents accordingly.

Reporting Requirement:

By this same date, the District will provide documentation showing that it has fulfilled the terms of this provision.

Policies and Procedures

- I. By **January 4, 2016**, the District will submit to OCR, for its review and approval, its anti-retaliation statement, consistent with the requirements of 34 C.F.R. Section 104.61 and 28 C.F.R. § 35.134.

Reporting Requirement: **Within 30 days** of OCR's approval, the District will publish the approved anti-retaliation statement on its website. Additionally, the District will notify in writing the parents/guardians of students of the new statement via email, handouts to students in class, or any other equally effective method of dissemination. The District will provide OCR with electronic and/or hard copy evidence of such dissemination **no later than 60 days** from when OCR approves the revised procedures.

Training

- I. By **April 29, 2016**, the District will obtain from the School and provide to, OCR for approval, a copy of the general training for all School teachers and staff members regarding the School's role in facilitating the District's compliance with its obligations under Section 504/Title II, including the prohibition of retaliation against parents who advocate for a student with a disability.

Reporting Requirement:

By this same date, the District will submit to OCR, for review and approval, a copy of the general training for all School teachers and staff members regarding the School's role in facilitating the District's compliance with its obligations under Section 504/Title II, including the prohibition of retaliation against parents who advocate for a student with a disability. **Within 15 days** of receipt of OCR's approval of the training, the District will oversee the School's implementation of the training.

By **June 24, 2016**, the District will submit to OCR documentation demonstrating that the training was delivered in accordance with this Agreement, including agendas, copies of all training materials, and attendance sheets from the trainings. The attendance sheets shall include the names and titles for all School teachers and staff members and the signatures of those individuals who participated in the above-described training.

Monitoring

The District understands that OCR will not close the monitoring of this agreement until OCR determines that it has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504 and Title II, which were at issue in this case. The District 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 this agreement.

Further, the District understands that during the monitoring of this 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 this agreement and is in compliance with the regulation implementing Section 504 and Title II, which were at issue in this case.

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.

Superintendent

Date