

Resolution Agreement  
Bourne Public Schools  
OCR Complaint No. 01-13-1270  
Student: xxxxx

In order to resolve this complaint filed with the Office for Civil Rights (OCR) under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 and without admitting to any violation of law, the Bourne Public Schools (District) agrees to implement the resolution provisions described below.

1. By April 30, 2014, the District agrees to develop a proposal for making a free appropriate public education available to the Student if his parents choose to re-enroll him in Bourne. The proposal must specify:
  - a. Whether services would be provided at the xxxxx School or at the xxxxx School.
  - b. What types of services or accommodations would be provided; and
  - c. The basis for the District's determination that the Student could attend that particular xxxxx school safely with the proposed services or accommodations.

Before developing the proposal, the District will notify the parents of its intent to develop the proposal and give the parents at least ten (10) days to provide information about the Student's medical conditions and educational needs. The District will also consider other information about the Student in its possession in making the proposal. If not provided by the parents, the District will request and consider a copy of any Section 504 plans or individualized education programs that the Student now has in the xxxxx Public Schools.

2. Reporting requirements: By May 15, 2014, the District will provide OCR with a copy of its proposal and the information upon which it relied in making the proposal.

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient 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 at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue in this case.

The District 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.

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Steven Lamarche  
Superintendent of Schools

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Date