

Voluntary Resolution Agreement
Pentucket Public Schools
Complaint No. 01-14-1124

The U.S. Department of Education's Office for Civil Rights (OCR) opened the above-referenced complaint for investigation because the allegations fell within OCR's jurisdiction under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II). The Pentucket Public Schools (District) has voluntarily agreed to take the following steps to resolve the Complaint.

Resolution Terms

1. By **December 30, 2014**, the District will provide Section 504 training to Pentucket High School's guidance staff (i.e., guidance counselors), Principal, Assistant Principal and designated school-level Section 504 Coordinator(s). The Section 504 training shall focus on the District's obligation to develop students' Section 504 Plans and Individualized Education Programs (IEPs) and how to appropriately and implement all aspects of the plans. The training shall also cover specific steps to ensure that Section 504 and IEP provisions related to state-wide testing are timely implemented.

Reporting Requirements: **January 1, 2015**, the District will provide OCR with documentation evidencing adherence to provision #1 above, including but not limited to the credentials of the trainer, a copy of the training materials, and confirmation of attendance for each required participant.

2. Within 5-days from the date this agreement is signed, the District will ensure that each of the Student's teachers is aware of all provisions set forth in the Student's Section 504 Plan.

Reporting Requirements: By **November 15, 2014**, the District will provide OCR with documentation evidencing adherence to provision #2 above, including a copy of the Student's Section 504 Plan in place for the 2014-2015 school year, the names/titles of each of the Student's teacher, and a description of how each of the Student's teachers was informed of the provisions set forth in the Student's Section 504 Plan.

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 regulation implementing Section 504 at 34 C.F.R. Part 104, and the regulation implementing Title II at 28 C.F.R. Part 35, 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 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. Sections 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.

_____/s/_____
Superintendent

October 23, 2014
Date