

**RESOLUTION AGREEMENT**  
**Andover Public Schools**  
**OCR Case No. 01-14-1138**  
**XXXXXXX XXXXXX (the Student)**

In order to resolve OCR Case No. 01-14-1138, Andover Public Schools (the District) assures the U.S. Department of Education, Office for Civil Rights (OCR), that it will take the actions detailed below pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104; and 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.

**ACTION ITEM 1:**

By December 15, 2015, after providing proper written notice to the Student's parents/guardians, the District will convene a group of knowledgeable persons, including the parents/guardians, to determine an appropriate amount of compensatory and/or remedial services, such as counseling and/or tutoring services, to the Student based on the time period during school year 2013-2014 that School staff did not fully implement the provisions in the Student's Section 504 plans. Within one (1) week of its determination, the group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond June 1, 2016. The District will provide the Student's parents/guardians notice of the procedural safeguards, including the right to challenge the group's determination through an impartial due process hearing.

**Reporting Requirements:**

- a) By January 15, 2016, the District will submit to OCR a copy of the meeting minutes or similar documentation from the meeting referenced in Action Item 1. The documentation submitted shall indicate the participants in the meeting, an explanation for decisions made, the information considered, and a description of and schedule for providing compensatory and/or remedial services to the Student. OCR will also review the documentation to ensure that the District met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, in making these determinations.
- b) By June 15, 2016, the District will provide documentation to OCR of the dates, times, and locations that compensatory and/or remedial services were provided, a description of the service provided, and the name(s) of the service provider(s).

**ACTION ITEM 2:**

By December 15, 2015, the District will review its policies and procedures related to its obligations under Section 504, including the provision of a free appropriate public education (FAPE) to qualified students with disabilities, and revise where necessary to ensure compliance.

**Reporting Requirements:**

- a) By January 15, 2016, the District will provide its revised Section 504 policies and procedures to OCR for its review and approval.
- b) Within 30 days of OCR's approval, the District will provide OCR with a copy of its final version of the revised Section 504 policies and procedures.

**ACTION ITEM 3:**

By March 15, 2016, the District will provide training to Andover High School staff, including teachers, paraprofessionals and guidance counselors, regarding: a) the District's Section 504 policies and procedures; and b) the District's obligations under Section 504 to provide a FAPE to qualified students with disabilities.

**Reporting Requirements:**

- a) By April 1, 2016, the District will provide to OCR: (a) the name(s) of the individuals who conducted the training; (b) a list of the individuals who attended the training and their positions; (c) the date(s) the training was conducted; and (d) copies of any training materials disseminated.

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, at 34 C.F.R. §§ 104.33 and Title II, at 28 C.F.R. §§ 35.130(a) and (b)(1)(iii), which were at issue in this case. The District also 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 regulations implementing Section 504, at 34 C.F.R. §§ 104.33, and Title II, at 28 C.F.R. §§ 35.130(a) and (b)(1)(iii), 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.

This Agreement has been entered into voluntarily by the District and does not constitute an admission that it is not in compliance with Section 504 or Title II or their implementing regulations.

11/30/2015  
Date

/s/  
[Authorized Official]  
District