

Voluntary Resolution Agreement  
Tewksbury Public Schools  
Complaint No. 01-14-1220

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 Tewksbury Public Schools (District) has voluntarily agreed to take the following steps to resolve the complaint.

Resolution Terms

1. By **December 15, 2014**, the District will provide Section 504 training to all staff and administrators involved in the Section 504 process at the Dewing School. 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 related to the convening of IEP/504 Teams, evaluation and placement, and implementation of plans for students in need of, or receiving, home- and hospital-based services.

*Reporting Requirements:* **January 1, 2015**, the District will provide OCR with documentation evidencing adherence to provision #1 above, including but not limited to a copy of the training materials and attendance sign-in sheets.

2. Commensurate with the execution of this Agreement, the District will provide the parent with an IEP placement page (PL1) specifying the Student's placement at the XXXXXXXXXXXX for the 2014-2015 school year, and further agrees to fund the Student's placement, including transportation, at the XXXXXXXXXXXX. The District agrees to cooperate with XXXXXXXXXXXXXXXX in the development of the Student's IEP providing the Student with FAPE. Said IEP will be developed at a Team meeting to be scheduled at a date/time that is mutually agreeable between the District, Parent, and XXXXXXXXXXXXXXXX.

*Reporting Requirements:* By **January 1, 2015**, the District shall provide OCR with documentation evidencing that the Student IEP team convened and developed an updated IEP to reflect the Student's placement at XXXXXXXXXXXXXXXX.

3. This Agreement does not constitute an admission by either party as to any issue in dispute between them. This Agreement hereby resolves all of the issues in dispute to date regarding the claims set forth in the Parent's OCR complaint (OCR No. 01-14-1220).

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

