

RESOLUTION AGREEMENT
Wilton Board of Education
OCR Complaint Nos.
01-14-1227, 01-16-1152, 01-16-1243, 01-16-1245

The Wilton Board of Education (the District) has voluntarily entered into this agreement to resolve the allegations in the above-referenced complaints. The District assures that it will take the following actions.

The District agreed to resolve these complaints prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*.

Action Item 1

The District will develop policies and procedures regarding the evaluation, identification, and placement of students under Section 504 (the Section 504 Policy). Specifically, the District's Section 504 Policy must include the following items:

1. Evaluation procedures that include standards and procedures for the timely evaluation and placement of students who, because of their disability(ies), need or are believed to need special education or related services under Section 504, in compliance with 34 CFR § 104.35(b).
2. Placement procedures that set standards and procedures for interpreting evaluation data and making placement decisions, in compliance with 34 CFR § 104.35(c).
3. Procedural safeguards that include notice, an opportunity for parents/guardians to review relevant records, an impartial hearing with opportunity for participation by the student's parents/guardians and representation by counsel, and a review procedure, in compliance with 34 CFR § 104.36.
4. Grievance procedures for resolving complaints of disability discrimination (or a cross-reference to a separate District policy that provides grievance procedures for resolving complaints of disability discrimination) that are consistent with the requirements of 34 CFR § 104.7. The grievance procedures should be distinct from the procedural safeguards required by 34 CFR § 104.36.
5. A statement that the District prohibits retaliation against any individual who asserts rights or privileges under Section 504 or who files a complaint, testifies, assists, or participates in a proceeding under Section 504.

Reporting Requirements:

1. By **October 15, 2019**, the District will revise, adopt, implement, and publish the Section 504 Policy. The District will make this information available through the District’s website and any other additional means of notification the District deems effective to ensure that the information is disseminated.

Within thirty (30) calendar days after adopting the Section 504 policy (i.e., November 15, 2019), the District will provide OCR with documentation that it has completed this item, including copies of written notices to students, parents/guardians, administrators, and staff, and a copy of any publications (such as student handbooks) or a link to any website containing the policy.

Action Item 2

During the 2019-2020 school year, the District will provide training to its Section 504/Title II Coordinator and other staff in the District’s Department of Special Services who are responsible for the evaluation, identification, and placement of students under Section 504 (e.g., special education teachers, school psychologists and other related services personnel). . The training will be on the District’s Section 504 Policy, including the evaluation, identification, and placement of students eligible for Section 504 plans, and the District’s Section 504 due process and grievance procedures.

Reporting Requirements:

1. By **January 30, 2020**, the District will provide OCR documentation of the training undertaken in accordance with Action Item 2, including:
 - a. A list of the individuals who attended the training and their positions;
 - b. The date(s) the training was conducted; and
 - c. Copies of any training materials disseminated.

Action Item 3

The District will send a letter to the Complainant in OCR Complaint Nos. 01-14-1227, 01-16-1152, 01-16-1243 (Complainant 1) that commits the District to promptly conduct a team meeting in accordance with Section 504 if Complainant 1 seeks to re-enroll her children (Students 1 and/or 2) in the District.

Reporting Requirements:

1. By **August 15, 2019**, the District will provide OCR with a copy of the letter it sent to Complainant 1, as well as evidence that the letter was sent, i.e., a copy of the sending email, certified mail receipts, etc.

Action Item 4

The District will send a letter to the Complainant in OCR Complaint No. 01-16-1245 (Complainant 2) that commits the District to promptly conduct a team meeting in accordance with Section 504 if Complainant 2 seeks to re-enroll her children (Students 3 and/or 4) in the District.

Reporting Requirements:

1. By **August 15, 2019**, the District will provide OCR with a copy of the letter it sent to Complainant 2, as well as evidence that the letter was sent, i.e., a copy of the sending email, certified mail receipts, etc.

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 the 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 and obligations of this Agreement. Upon the District’s satisfaction of the commitments made under the Agreement, OCR will close the cases.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The Agreement will become effective immediately upon the signature of the District’s representative below.

By: /s/ _____
Superintendent

Date: 6/21/19 _____