

RESOLUTION AGREEMENT
Ludlow Public Schools
OCR Complaint No. 01-15-1032

The Ludlow Public Schools (District) has voluntarily entered into this agreement to resolve the allegation in the above-referenced complaint. The District assures that it will take the following actions and will meet its obligation to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.

Prior to the completion of OCR's investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issues of this investigation, the District agrees to take the following actions.

Action Item 1: Non-Retaliation Notice

- a. The District will issue a notice (Notice) that the District prohibits retaliation against any individual who asserts rights or privileges under Section 504 or Title II or who files a complaint, testifies, assists, or participates in a proceeding under Section 504 or Title II. The Notice will also contain contact information for the District's Section 504 Coordinator and OCR.
- b. By March 31, 2018 the District will issue this Notice to:
 1. All parents/guardians of students on Section 504 plans or Individualized Education Programs (IEPs), including the Complainant.
 2. All teachers, paraprofessionals, and administrators in the District who work with students on Section 504 plans or IEPs.
 3. All out-of-district placements that the District's students attend.
- c. At the start of the 2018-2019 school year, and annually thereafter, the District will issue this Notice to all out-of-district placements that the District's students attend.
- d. The District will also include a copy of the Notice on its website.

Reporting Requirement

1. By April 15, 2018, the District will provide OCR:
 - a. A copy of the Notice.
 - b. Evidence that the District issued the Notice to parents/guardians, teachers and administrators, and out-of-district placements, as required by Action Item 1(b)(1) through (b)(3).

- c. The URL for the location of the Notice on the District's website.
2. By September 15, 2018, the District will provide OCR evidence that the District issued the Notice to out-of-district placements, as required by Action Item 1(c).

Action Item 2: Training

- a. By March 31, 2018, the District will provide training to the District's management team (which includes the Superintendent, the District's Director of Student Support Services, the District's Section 504 Coordinator, principals, and directors of departments) on the prohibition against retaliating against any individual who asserts rights or privileges under Section 504 or Title II or who files a complaint, testifies, assists, or participates in a proceeding under Section 504 or Title II.

Reporting Requirement

1. Within thirty (30) calendar days of the training required by Action Item 2(a), the District will certify to OCR that the training has occurred in accordance with this Agreement and will provide copies of all training materials and information on who attended the training.

Action Item 3: Communication with the Complainant

- a. The District will not restrict the Complainant's communications with District staff or staff at the Student's XXXXX placement, except as permitted by District policy or the policy of the Student's XXXXX placement.

Reporting Requirement

1. If the District restricts the Complainant's communications with District staff or staff at the Student's XXXXX placement, the District will provide OCR with a written statement that explains what occurred within one week after any such restriction is imposed. This Reporting Requirement will continue until August 31, 2018.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the District to 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 and Title II, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue in this case. The District understands that OCR will not close the monitoring of the Agreement until such time that OCR determines the District has fulfilled the terms of the Agreement and is in compliance with the statutes and regulations that were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close 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 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/ _____ Date: 1/31/18 _____
Todd Gazda, Superintendent