

302 Resolution Agreement
Grafton Public Schools
OCR Case Number 01-15-1090

Grafton Public Schools (District) agrees to resolve this complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR) alleging retaliation. The District submits this agreement to ensure its compliance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 C.F.R. Part 104 (Section 504), and Title II of the Americans with Disabilities Act of 1990 and its implementing regulation at 28 C.F.R. Part 35 (Title II). By doing so, the District does not admit fault or noncompliance with Section 504 or Title II. The District understands that OCR will not issue findings with regard to the allegations set forth in OCR Case Number 01-15-1090, except in the event that the District fails to comply with this Agreement.

The District agrees to the following:

1. By **October 1, 2015**, the District shall provide training to appropriate District employees regarding their role as mandatory reporters, including:
 - a. When they are obligated to contact the Department of Children and Families (DCF);
 - b. When they are obligated to notify parents of their intention to contact the DCF; and
 - c. How to respond to District employees' or contractors' possible misuse or misrepresentation of the District's obligations under 1(a) and 1(b).

Reporting Requirement: By **October 15, 2015**, the District shall provide OCR with a description of the training provided (e.g., training agenda, identification of presenters, materials provided, and the like), as well as a copy of attendance sheets signed by relevant staff (including titles).

2. By **October 1, 2015**, the District shall provide notice to all out-of-District contractors involved in the provision of special education services, accommodations or evaluations regarding its non-discrimination and retaliation notice and the items in provisions 1(a), (b) and (c) above.

Reporting Requirement: By **October 15, 2015**, the District shall provide OCR with a copy of the notice described in Provision 2, as well as the names, titles and/or agencies to which the notice was provided.

3. By **September 1, 2015**, the District shall offer to meet with the Complainant to:
 - a. Discuss the evaluator's statement at the XXXXXX Team Meeting, including any impacts on the Parent's ability to advocate on behalf of the Student or the Student's ability to access his education;
 - b. Provide an assurance that the District does not discriminate, harass or retaliate, nor does it contract with individuals or entities that discriminate, harass or retaliate;
 - c. Provide information regarding when and how individuals, including parents, can file complaints of discrimination, harassment, and/or retaliation with the District, as well as information regarding the District's procedures for investigating such

- claims;
- d. Provide information regarding the District’s policies and procedures for mandatory reporting and contacting DCF.

Reporting Requirement: By **September 15, 2015**, the District shall provide OCR with a documentation of the District’s offer to meet, as well as any notes generated from any meetings with the Complainant and all information provided to the Complainant pursuant to provisions 2(b), (c) and (d).

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, at 34 C.F.R. Sections 104.34(b) and 104.7(b), and the regulation implementing Title II, at 28 C.F.R. Section 35.130 and 35.107(b), which were at issue in this case.

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. Section 104.33 et seq. and the regulation implementing Title II, at 28 C.F.R. Section 35.1.30.

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.

 /s/ Arnold Lundwall
Arnold Lundwall
Special Education Administrator
Grafton Public Schools

 7/24/2015
Date