



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION I
5 POST OFFICE SQUARE, 8th FLOOR
BOSTON, MASSACHUSETTS 02109-3921

RESOLUTION AGREEMENT
East Haven Public Schools
OCR Complaint No. 01-16-1208

The East Haven Public Schools (District) has voluntarily entered into this agreement to resolve the allegations 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.

Action Item 1:

The District will not provide information about the Student's XXXX-XXXX school year expulsion to colleges, universities, or any other entity without the written consent of the Complainant in OCR Complaint No. 01-16-1208, or, if the Student has reached the age of XX at the time of the request, without the consent of the Student.

Reporting Requirement: By June 30, 2020, the District will provide documentation showing that it has fulfilled the term of this provision, including copies of all requests for the Student's cumulative educational record or information about his XXXX-XXXX school year expulsion, all correspondence from the District to the Complainant and/or Student seeking consent to release the requested information, and all correspondence from the District to the requestor of such information.

Action Item 2:

The District will revise its Policy Regarding Section 504 of the Rehabilitation Act of 1973 (Policy), consistent with the requirements of 34 C.F.R. § 104.35.

Reporting Requirement:

- a. By June 30, 2018, the District will submit to OCR for its review and approval its revised Policy.
- b. Within thirty (30) days of OCR's approval, the District will publish the approved Policy on its website and will notify District faculty, staff, and students of the new Policy in writing, either via e-mail, handouts to students, or any other equally effective method of disseminating copies of the Policy. The District will provide OCR with documentation demonstrating that the Policy has been posted on the website and has also been disseminated in accordance with this provision no later than forty-five (45) days from the date OCR approves the Policy.

Action Item 3:

The District will train all District faculty and staff involved in the evaluation of students, development of Section 504 plans, and issuance of homebound instruction concerning the District’s responsibilities under Section 504 and Title II. The training will cover the following topics: the obligation to provide an appropriate education designed to meet the individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met, including through homebound instruction; and identification, evaluation, or educational placement of students, who because of their disabilities, need or are believed to need special instruction or related services.

Reporting Requirement: By September 28, 2018, the District will submit to OCR documentation demonstrating that the training was delivered in accordance with this Agreement, including copies of all training materials, and attendance sheets from the trainings.

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. 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: _____
Superintendent

Date: _____