

RESOLUTION AGREEMENT
Lynn Public Schools
OCR Complaint No. 01-16-1301

The Lynn 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.

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, the Section 504 Coordinator at XXXXXXXXX, and OCR.
- b. By March 31, 2018, the District will issue this Notice to:
 1. All parents/guardians of students at XXXXXXXXX on Section 504 plans or Individualized Education Programs (IEP), including the Complainant.
 2. The Section 504 Coordinator at XXXXXXXXX, and all administrators, teachers, paraprofessionals, and guidance counselors at XXXXXXXXX.
- c. The District will also include a copy of the Notice on its website.

Reporting Requirements

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, as required by Action Item 1(b)(1) and (b)(2).
 - c. The URL for the location of the Notice on the District's website.

Action Item 2: Training

- a. By September 25, 2018, the District will provide training to the Section 504 Coordinator at XXXXXXXXX, and all administrators, teachers, paraprofessionals, and guidance counselors at XXXXXXXXX on:
 1. 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.
 2. The District's obligations under Section 504 to ensure the proper development and implementation of students' Section 504 Plans, and the District's related policies/procedures and practices, including how to access students' Section 504 Plans from the District-Wide Section 504 Coordinator or the Section 504 Coordinator at XXXXXXXXX and how to document (if necessary) evidence that accommodations on students' Section 504 Plans are being properly implemented.

Reporting Requirements

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.
2. Within thirty (30) calendar days of the training required by Action Item 2(b), 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: The Student

- a. The District will, after providing written notice to the Student's parent(s), convene a meeting of a group of persons knowledgeable about the Student, including the Student's parent(s) (the Team), to determine whether the Student requires any changes to his XXXX and XXXX quarter grades from the 2015-2016 school year for any missed services with respect to XXXXXXXXXXXX. The District will take reasonable steps to obtain parental participation in the meeting and ensure that the meeting is held at a time and place convenient to the Student's parent(s). The District will make any corresponding changes to the Student's transcript, and will provide the Complainant with written notice of its determinations and a copy of the revised transcript, if applicable. OCR will review the documentation submitted to ensure that the District met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35, and 104.36, in making these determinations.

Reporting Requirements

1. By April 15, 2018, the District will submit to OCR: (i) if the Student's parent(s) did not attend the meeting, a copy of documentation demonstrating the District's efforts to obtain parental participation; (ii) a copy of the meeting minutes or similar documentation from the meeting referred to in Action Item 3, including a detailed explanation for the District's determinations regarding the Student's grades, and (iii) documentation demonstrating that the District provided written notice to the Complainant of its determinations and, if applicable, a copy of the Student's revised transcript.

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 regulation implementing Section 504 and Title II, at 34 C.F.R. Part 104 and 28 C.F.R. 35 which was 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/ _____
Superintendent
Lynn Public Schools

Date: 2/2/18 _____