

RESOLUTION AGREEMENT
Manchester Essex Regional School District
OCR Complaint No. 01-17-1129

The Manchester Essex Regional School District (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: Team Meeting

By June 1, 2018, after taking reasonable steps to obtain parental participation in the meeting, including ensuring that the meeting is held at a time and place convenient to the Complainant, the District will convene a Section 504 Team meeting. At the meeting the District will:

- a. Invite the Student's parent(s) to share their understanding of or concerns with the following provisions in the Student's Section 504 plan: (1) xxxxx xxx xxxx xxxx; and (2) xxxxx xxxx xxxxxx. Additionally, the Student's parent(s) will be invited to discuss concerns about the Student's xxxx xxxxxxxxxx and the presence of xxxx in the classroom;
- b. Consider any further input from the Student's teachers, if appropriate;
- c. If needed, revise and/or more clearly define the provisions concerning xxxxx xxxxxx and xxxx xxxx xxxx in the Student's Section 504 plan (e.g., purpose, scope, frequency) as appropriate to meet the Student's needs under Section 504;
- d. Determine whether any additional remedies or services are appropriate at this time to provide the Student a free appropriate public education under Section 504;
- e. Provide the Student's parent(s) with a meaningful opportunity to offer input into these determinations, notice of the determinations made, and notice of the procedural safeguards available to them under 34 C.F.R. § 104.36; and
- f. Maintain detailed minutes.

Reporting Requirement

1. By June 30, 2018, the District will submit to OCR a copy of the following materials:
 - a. a list of attendees that includes the names and titles of those at the meeting;
 - b. meeting minutes;
 - c. an explanation of the District's determination for Action Items 1(c) and 1(d), and schedule for providing any additional services or other remedies (if any) to the Student; and
 - d. any other supporting Team meeting materials that address the Action Items above, such as copy of the notice of determination made, and the notice of procedural safeguards provided to the family.

Action Item 2: Training

- a. Within sixty (60) calendar days of OCR's written approval of the District's Section 504 Policy as described in the Resolution Agreement for OCR Complaint No. 01-16-1251, the District will provide training to all administrators, Student Services staff, special education teachers, and any other staff responsible for the implementation of Section 504 and Title II. In addition to covering 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 grievance procedures, the training will also cover the District's obligation to implement Section 504 plans, the District's duty to reevaluate students when it is on notice that a student's needs may have changed and/or the Section 504 plan is not meeting a student's educational needs, and the District's policies and procedures for xxxx xxxxxxxx.

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.

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, 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: 4/23/2018
Name and Title