

**RESOLUTION AGREEMENT**  
**Manchester Early Learning Center (MELC)**  
***OCR Complaint Number 01-17-1229***

The Manchester Early Learning Center (Center) has voluntarily entered into this agreement to resolve the allegations in the above-referenced complaint. Prior to the completion of OCR's investigation, the Center agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. The Center assures that it will take the following actions.

**PROCEDURES**

A. Procedure for Serving Children with Disabilities

The Center will develop and implement a procedure (Procedure) to take into account the needs of qualified children with disabilities when determining the aids, benefits, and services to be provided in its before school, after school, and summer programs.

At a minimum, the Procedure will: (1) describe the process by which parents/guardians may request that the needs of a qualified child with a disability be taken into account, including how to request modifications to the Center's policies, practices, or procedures as are necessary to avoid discrimination; (2) include the name, title and contact information (including email) of the Center staff person(s) who will handle such requests; (3) identify the types documentation that parents/guardians will need to provide, e.g., Individual Education Programs (IEPs) and/or Section 504 Plans, medical information; (4) describe the decision-making process, including identifying (by title) who is involved; and, (3) designate reasonably prompt timeframes to ensure that documentation is reviewed and modifications are offered within a reasonable time period. The Center will ensure that the Procedure's requests for documentation are reasonable, and that it timely obtains medical approvals, including those required by Connecticut law.

Reporting Requirement:

1. By **August 1, 2018**, the Center will provide OCR with a copy of the Procedure for OCR's review and approval.
2. By **September 17, 2018**, or within thirty (30) calendar days after receiving approval for Reporting Requirement #1 from OCR (whichever is later), the Center will incorporate the Procedure into its Handbook, include the Procedure on its website and ensure that it is included in any materials relating to enrollment. The Center shall also disseminate the Procedure to all parents/guardians of children who would qualify to participate in its programs, stating that the Center welcomes all children, including those with disabilities.
3. By **October 31, 2018**, or within sixty (60) calendar days after receiving OCR's approval for the Procedure, the Center will provide OCR with evidence that it has taken the actions described in Reporting Requirement 2.

## B. Anti-Discrimination Policies

By **August 1, 2018**, the Center will review and revise its Designation of Responsible Employee, Grievance Procedures and Notice of Nondiscrimination (Policies) to comply with 34 C.F.R. §§ 104.7 and 104.8. Additionally, the Center will ensure that its Grievance Procedure expressly prohibits retaliation as described at 34 C.F.R. §100.7, in conformance with 34 C.F.R. § 104.61.

### Reporting Requirement:

1. By **August 1, 2018**, the Center will provide OCR with a copy of the Policies for OCR's review and approval.
2. By **September 17, 2018**, or within thirty (30) calendar days after receiving approval for Reporting Requirement #1 from OCR (whichever is later), the Center will incorporate the Policies into its handbooks and include the Policies on its website. The Center shall also disseminate the Policies to all parents/guardians of children who would qualify to participate in its programs, stating that the Center welcomes all children, including those with disabilities.
3. By **October 31, 2018**, or within sixty (60) calendar days after receiving OCR's approval for the Procedure, the Center will provide OCR with evidence that it has taken the actions described in Reporting Requirement 2.

## TRAINING

By **October 3, 2018** and annually thereafter, the Center will provide training to all Center staff members and administrators responsible for implementing the Procedure, including each site's program managers. The training will include: (1) a statement that under Section 504, qualified individuals with disabilities may not, on the basis of disability, be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of the Center's programs or activities, (2) an explanation of the Center's obligations to take into account the needs of qualified students with disabilities, and to make such modifications to its policies, practices, or procedures as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified individual with a disability; and (3) instruction on the Center's Procedure, including directions for contacting the Center staff person(s) who will handle disability-related request, with any questions.

### Reporting Requirement

1. At least 10 days prior to the training on October 3, 2018, the Center will provide, for OCR's review and approval, a copy of the training materials it will use, as well as the credentials of the trainer/presenter.

2. Within thirty (30) calendar days of providing the training, the Center will provide to OCR sign-in sheets from the training that include the name and title of the attendees.

The Center understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the Center understands that during the monitoring of this Agreement, if necessary, OCR may visit the Center to interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Center has fulfilled the terms of this Agreement. Upon the Center's satisfaction of the commitments made under the Agreement, OCR will close the case.

The Center 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 Center 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 Center's representative below.

By: \_\_\_\_\_  
For Manchester Early Learning Center

Date: \_\_\_\_\_