



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

RESOLUTION AGREEMENT
Kennebec Intra-District Schools Regional School Unit 2
OCR Complaint No. 01-17-1345

The Kennebec Intra-District Schools Regional School Unit 2 (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.

The District agreed to resolve this complaint prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*.

1. Training

- A. The District will provide training on the subject of Section 504 and Title II of the ADA compliance to District staff, including the Director of Special Education, Principal, Guidance Counselor, School Nurse, and Assistant Principal at the District's XXXXXXXXXXXXXXX School. The training will be provided by the District's legal counsel and will include: (1) the general provisions of Section 504 and Title II, including the prohibition against denying a qualified individual with a disability the opportunity to participate in or benefit from any aid, benefit, or service of the District; (2) the District's FAPE obligations; (3) the role of Section 504 with regard to students with diabetes and/or other serious health conditions, including appropriate emergency responses; (4) guidance on how to develop clear, effective, and incorporated 504 plans and Individualized Health Plans (IHP); (5) guidance that the District cannot rely on parents to fulfill the District's Section 504 obligations.

REPORTING REQUIREMENTS:

By March 1, 2021, the District will submit for OCR's review and approval a copy of its proposed training materials to implement Item 1. The District will conduct the training no later than June 1, 2021. Within ten (10) school days of the date the training is conducted, the District shall provide a copy of the training presentation and materials, and a copy of the completed sign-in sheet to OCR for review and approval.

2. The Student

- A. If the parent XXXXX the Student in the District by the beginning of the 2021-2022 school year, then, to the extent relevant:
- The 504 Team will meet within ten (10) school days of the Student's return to school to conduct a reevaluation of the Student's services needs.
 - The 504 Team will decide and clearly document in the Student's 504 plan:

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

- i. whether a nurse is required to be in the building at all times with the Student;
- ii. where the Student’s medical kit should be kept during the school day;
- iii. the location of the administration of the Student’s medication and medical care;
- iv. which staff will be trained, when they will be trained, the content of each staff member’s training, and each staff member’s specific role in the Student’s medical care;
- v. whether the Student’s IHP is incorporated by reference within the Student’s 504 plan;
- vi. the parent’s role and responsibilities in the Student’s medical care in relation to the District’s role and responsibilities in the Student’s medical care; and
- vii. how the District will track the Student’s medical-care-related information and how that information will be communicated to parent(s).

REPORTING REQUIREMENTS:

The District will schedule an initial 504-Team meeting for reevaluation within ten (10) school days of the Student’s return to school, and will complete the Student’s 504 plan within twenty (20) days of his return to school. Within ten (10) school days of completing the Student’s 504 plan, the District will submit to OCR the 504 plan, IHP, and meeting minutes.

In the event that the parent has not XXXXXX the Student in the District by September 15, 2021, then the District will notify OCR within ten (10) days of this date and Action Item 2 will be deemed completed.

- B. After receiving written consent from the Student’s parent, the District will train each of the Student’s teachers for the school year on the Student’s 504 plan and IHP and provide an opportunity for attendees to ask clarifying questions regarding the plans.

REPORTING REQUIREMENT:

The District will conduct the teacher training on the Student’s 504 plan (and any IHP) within ten (10) school days after the completion of the Student’s 504 plan. Within thirty (30) school days of the date the training is conducted, the District shall provide a copy of the training presentation and materials, and a copy of the completed sign-in sheet to OCR for review and approval.

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 the 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

and obligations of this Agreement. Upon the District’s satisfaction of the commitments made under the Agreement, OCR will close the case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR shall give the Recipient 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/ Tonya Arnold _____ Date: _12/15/20_____

Superintendent
Kennebec Intra-District Schools Regional School Unit 2