

RESOLUTION AGREEMENT
Braintree Public Schools
OCR Complaint No. 01-18-1230

Pursuant to Section 302 of OCR's *Case Processing Manual*, prior to the completion of OCR's investigation Braintree Public Schools (District) has entered into this agreement to resolve the allegations in the above-referenced complaint. The District assures that it will take the following actions.

This Agreement shall not constitute an admission by the District that the District's programs or services were noncompliant with Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of the Rehabilitation Act of 1973 Title II of the Americans with Disabilities Act of 1990 (Title II) or any other law enforced by OCR. This agreement is entered into by the District solely for the purpose of resolving the above-referenced complaint.

Action Item 1

The District will conduct an investigation into the Complainant's allegations that XXXXXXXX was harassed by other students on the basis of disability and national origin during the XXXX XXXX school year. Specifically, the District will provide the Complainant an opportunity to meet with District officials to describe the harassment, which should include the timeframe of any alleged conduct, identification of alleged perpetrators and any witnesses. When scheduling the meeting, the District will XX. If requested, the District will arrange for and ensure that XXXXXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXX. The District will then conduct an investigation into the Complainant's allegations and inform the Complainant of the results of the investigation, and, if the District finds such harassment did occur, it will take prompt and effective steps reasonably calculated to remedy the effects of the harassment and prevent its recurrence.

Reporting Requirements

1. By July 1, 2019, the District will provide documentation showing the following:
 - a. That it contacted the Complainant to arrange a meeting in which she could describe the harassment;
 - b. That it arranged to have XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX, or documentation showing that the Complainant XXXXXXXXXXXXXXXXXXXXXXXX;
 - c. If the Complainant agreed to such a meeting, when the meeting occurred, who was in attendance, and what was discussed at the meeting; and
 - d. A copy of the letter to the Complainant advising of the outcome of any investigation, as well as documentation any steps taken as a result of any findings.

Action Item 2

The District will provide training on responding to harassment on the basis of disability and national origin to the administrators at XXXXXXXXXXXXXXXXXXXX who are responsible for responding to and/or investigating such allegations.

Reporting Requirements

1. By August 1, 2019, the District will provide, for OCR’s review and approval, a copy of the training materials it will use.
2. Within 30 calendar days of OCR’s approval of the training materials, the District will provide to OCR:
 - a. A list of the individuals who attended the training and their positions;
 - b. The date(s) the training was conducted; and
 - c. Copies of any training materials disseminated.

Action Item 3

The District will provide training on the prohibitions against retaliation under Section 504 and Title VI to the administrators at XXXXXXXXXXXXXXXXXXXX, the Superintendent, and the Special Education Director.

Reporting Requirements

1. By August 1, 2019, the District will provide, for OCR’s review and approval, a copy of the training materials it will use.
2. Within 30 calendar days of OCR’s approval of the training materials, the District will provide to OCR:
 - d. A list of the individuals who attended the training and their positions;
 - e. The date(s) the training was conducted; and
 - f. Copies of any training materials disseminated.

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 administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). 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: 4/22/19
Frank Hackett, Superintendent