

**RESOLUTION AGREEMENT**  
**Martha's Vineyard Public Schools**  
***OCR Complaint No. 01-18-1286***

The Martha's Vineyard 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.

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*.

**Action Item 1**

The District will develop/review and revise as necessary its Section 504/Title II policies to create a comprehensive policy addressing compliance with 34 C.F.R. Section 104, Subparts A and D.

**Reporting Requirements:**

1. By December 13, 2019, the District will submit its policies and procedures to OCR for its review and approval.
2. Within thirty (30) calendar days of OCR's approval, the District will adopt, implement, and publish the revised policies and procedures. The District will make this information available through the District's website and any other additional means of notification the District deems effective to ensure that the information is disseminated. The District will provide OCR with documentation that it has completed this item, including copies of written notices to students, parents/guardians, administrators, and staff, and a copy of any publications (such as student handbooks) or a link to any website containing the policy.

**Action Item 2**

The District will provide Section 504 and Title II training to all teachers and administrators, including all personnel responsible for creating or implementing Section 504 plans or Individualized Education Programs (IEPs). At minimum, the training will include:

- (i) A review of the final policy created in compliance with Action Item 1, and in particular noting that placement decisions are made through the team process, must be sufficiently clear that they can be understood and implemented by those responsible for implementation, and are not subject to approval or veto by staff, teachers, administrators, or others;
- (ii) Manifestation determinations, including when they must be conducted, what should occur during such meetings, and who should be involved;
- (iii) Discipline for students with disabilities; and
- (iv) Developing Section 504 plans for students with emotional or behavioral disabilities.

**Reporting Requirements**

1. Within 30 days of OCR’s approval of the policy created in compliance with Action Item 1, the District 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 90 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.

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 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: \_\_\_\_\_  
Matthew D’Andrea  
Superintendent of Schools