

RESOLUTION AGREEMENT
Oyster River Cooperative School District
OCR Complaint Nos. 01-17-1287 & 01-18-1341

The Oyster River Cooperative School District (District) has voluntarily entered into this agreement to resolve Allegation 1 in OCR Complaint No. 01-17-1287 and Allegation 1 in OCR Complaint No. 01-18-1341. The District agreed to resolve these allegations prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*. The District assures that it will take the following actions. Entering into this agreement does not constitute an admission of fault or noncompliance with Section 504, Title II, or any other governing laws and regulations.

Action Item 1

Within four weeks of the beginning of **the 2020-2021 school year** and provided the Student resides in the District, the District will convene a Section 504 team meeting to determine whether the Student requires compensatory services due to any missed educational opportunities for the period between XXXXXXXX XXXX through XXXXXXXX XXXX. The team will base the determination on a review of the Student's: evaluation, academic, and behavioral records (including those pertaining to any XXXXXXXXXXXX XXXXXXXXXXXX), attendance data, and any additional, relevant records pertaining to the Student and his participation in educational opportunities.

The District will make reasonable efforts to include the Student's parent in this meeting, including providing at least three optional dates and times when the Section 504 team is available to meet, and providing such information via both email and U.S. mail no less than two weeks before the first date offered. The District will ensure that the team includes a group of persons who are knowledgeable about the Student and his disability, the meaning of the Student's evaluation data, and the placement options. The District will provide the parent with notice of procedural safeguards, including the right to challenge the team's determination through an impartial due process hearing.

Reporting Requirement

Within ten days of convening the team meeting, the District will provide OCR with:

- i. Documentation detailing the District's efforts to include the Student's parent in the team meeting;
- ii. If the Student's parent did not attend the team meeting, evidence that a summary of the meeting was sent to her, including the team's determination regarding any compensatory services and an explanation of the District's disability discrimination complaint processes; and
- iii. Any team meeting or other notes, including: the names/titles of attendees; minutes of the meeting; all documentation considered; if applicable, an explanation of the District's method for determining whether compensatory services were deemed appropriate for the Student; and if

compensatory services are to be provided, a description of the type and amount of, and schedule for providing, such services to the Student.

Action Item 2

By **December 31, 2020**, the District will provide Section 504 and Title II training to its Section 504 Coordinator(s), the District's Principals, staff at the XXXX XXX XXXXX who are responsible for addressing the needs of students with disabilities under Section 504, and (to the extent appropriate) the Superintendent. The training will address specific regulatory requirements regarding: the identification and evaluation of students in need of special education and/or related aids and services; and the prompt and effective response to any complaint of disability discrimination.

Reporting Requirement

Within ten days of conducting the training required by Action Item 2, the District will provide OCR documentation of the training conducted, including:

- i. A list of the individuals who attended the training and their positions;
- ii. The date(s) on which the training was conducted; and
- iii. Copies of any training materials disseminated.

Action Item 3

Prior to the beginning of the **2020-2021 school year**, the District will inform the Student's parent in writing of the District's policies and procedures for responding to any complaints of disability-based discrimination promptly and effectively.

Reporting Requirement

Within ten days of providing the written notice described above, the District will provide OCR with sufficient documentation to show that it has satisfied this requirement.

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: _____ Date: _____
James Morse
Superintendent