RESOLUTION AGREEMENT
Bangor School Department
OCR Complaint No. 01-18-1360

Pursuant to Section 302 of OCR’s Case Processing Manual, prior to the completion of OCR’s investigation the Bangor School Department (District) has entered into this agreement to resolve the allegation in the above-referenced complaint. The District assures that it will take the following actions.

**Action Item 1**

XX – Paragraphs Redacted – XX

**Action Item 2**

The District will provide Section 504 training to all administrators in the District. The training will include:

a. The District’s obligation to identify and evaluate students with disabilities;
b. The criteria for evaluating eligibility under Section 504, including the definitions of “handicapped person” and “major life activities” found in 34 C.F.R. § 104.3(j); and
c. The District’s obligation to conduct manifestation determinations should be made and the process for making such determinations.

**Reporting Requirements**

1. By July 1, 2019, the District will provide, for OCR’s review and approval, a copy of the training materials it will use.
2. Within 45 days of OCR’s approval of the training materials, the recipient will provide to OCR:
   i. The name and credentials of the person(s) conducting the trainings;
   ii. A list of the individuals who attended the training and their positions;
   iii. The date(s) the training was conducted; and
   iv. Copies of any training materials disseminated.

**Action Item 3**

The District will make the following changes to its policies, procedures, and forms:

a. The child find policy will be amended to include the District’s obligations to locate students with disabilities under Section 504 and the implementing regulation at 34 C.F.R. § 104.32(a);
b. The Suspension Process Report form shall be amended to require an answer as to whether the student being suspended has a current Section 504 plan, past IEP, past Section 504 plan, or is otherwise suspected of having a disability; and
c. The 504 Student Handbook shall be amended to require a manifestation determination when the Student has a 504 plan or is otherwise suspected of having a disability.
Reporting Requirement

1. By July 1, 2019, the District will submit to OCR for its review and approval the documents required to be revised pursuant to Action Item 3.
2. Within thirty (30) calendar days of OCR’s approval, the District will adopt, implement, and publish the revisions required by Action Item 3(a) and 3(c). 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.
3. Within thirty (30) calendar days of OCR’s approval, the District will ensure that all staff responsible for completing the Suspension Process Report have received the Report, as revised per Action Item 3(b), and are aware of the updates. The District will provide OCR with documentation that it has completed this item.

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: 5/29/19

Patti Rappaport, Director of Pupil Services