RESOLUTION AGREEMENT Wareham Public Schools OCR Complaint No. 01-19-1097

The Wareham Public Schools (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.

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

Action Item 1

- A. By the first day of the 2019-2020 school year, the District will ensure that the Student is able to attend the Beyond School Time program (Program) in manner that complies with Section 504 and Title II.
- B. The District will provide the Student care during the Program at no cost, for the number of sessions and partial sessions she was unable to attend during the 2018-2019 school year because XXXXXXXXXXXXXX, including before school, after school, and vacation week care.

Reporting Requirements

- 1. By November 15, 2019, the District will submit documentation sufficient to show compliance with Action Item 1(A).
- 2. By July 15, 2019, the District will submit documentation to show calculations to determine the number of hours of care at no cost to be provided to the Student pursuant to Section 1(B).¹ The District shall include a calendar indicating which days the Student will be entitled to attend without cost in satisfaction of said Action Item.
- 3. Within 15 days of the final day of care provided pursuant to Action Item 1(B), the District shall provide proof of the care afforded in satisfaction of said Action Item.

Action Item 2

The District will revise the Program's Handbook to:

- A. Include a notice of nondiscrimination that complies with 34 C.F.R. §104.8 and 28 C.F.R. § 35.106.
- B. Describe the procedure for students with disabilities who seek to enroll in the program.
- C. Revise the "Special Considerations" section to ensure it is complies with Section 504 and Title II.

 $^{^1}$ XX- Footnote redacted - XX

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

Reporting Requirements

- 1. By August 15, 2019, the District will submit a revised copy of its Beyond School Handbook to OCR for its review and approval.
- 2. Within twenty (20) calendar days of OCR's approval, the District will adopt, implement, and publish the revised Handbook. 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 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 3

The District will provide Section 504 and Title II training to all Program staff. The training will include discussion of the District's obligations under 34 C.F.R. § 104.38 and 28 C.F.R. § 35.130.

Reporting Requirements

- 1. By September 1, 2019, the District will conduct the training described in Action Item 3 and 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 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:	<u>/s/</u>	Date:	_6/17/2019_	
•	Dr. Kimberly Shaver-Hood			