

RESOLUTION AGREEMENT
Newburyport Public Schools
OCR Complaint No. 01-19-1179

The Newburyport 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.

Action Items

By XXXXX XX, 2019, after providing proper written notice to the Student's parents, the District will convene an IEP team meeting. At the meeting, the District will:

- a. Invite the Student's parents to share their understanding of or concerns with the Student's IEP, including all relevant factors to consider regarding whether the Student should remain at the XXXXXX XXXXX or attend XXXXXXXX XXXX XXXX;
- b. Evaluate any written materials identified by Student's parents that are relevant to whether the Student should remain at the XXXXXX XXXXX or attend XXXXXXXX XXXX XXXX, specifically including but not limited to "XXXXXXX XXXXX XXXX X";
- c. Provide a representative from the XXXXXX XXXXX with a meaningful opportunity to offer input into all relevant factors to consider regarding whether the Student should remain at the XXXXXX XXXXX or attend XXXXXXXX XXXX XXXX;
- d. Discuss the appropriate placement for the Student in light of evaluative information provided;
- e. Provide the Student's parents with a meaningful opportunity to offer input into these determinations, notice of the determinations made, and notice of the procedural safeguards available to them under 34 C.F.R. § 104.36; and
- f. Maintain detailed minutes.

Reporting Requirement

1. By XXXXX XX, 2019, the District will submit to OCR a copy of the following materials:
 - i. a list of attendees that includes the names and titles of those at the meeting;
 - ii. meeting minutes;
 - iii. an explanation of the District's determination, if any, for Action Item (d); and
 - iv. any other supporting team meeting materials that address the Action Items above.

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: _____ /s/ Christina Gentile _____ Date: _____ 9/9/2019 _____

Christina Gentile
Director of Student Services
Newburyport Public Schools