

RESOLUTION AGREEMENT
Walpole Public Schools
OCR Complaint No. 01-19-1231

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 policies and procedures for its XXXXXXXXXXXXXXXXXXXXXXXX selection process. The policies and procedures will recognize the general prohibition against excluding individuals with disabilities from participation in, denying them the benefits of, or otherwise discriminating against them on the basis of disability and ensure that the District, in making admission, waitlist, and enrollment decisions, does not consider a student’s disability, disability-related needs, or whether the District would be able to provide the aids or services identified in a student’s Section 504 plan or Individualized Education Program (IEP). The policies and procedures will further cover that any decision concerning whether the District is an appropriate placement for a prospective XXXXX student, must be made only after admission and by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.

Reporting Requirements:

1. By May 27, 2021, 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 training on its new or revised XXXXX selection process referenced in Action Item 1 to the District’s XXXX Coordinator, Special Education Director, and all staff involved in the XXXXX selection process. Finally, the training will include the identification of the District’s Section 504/Title II Coordinators and the grievance process available to students, parents (including parents of XXXXX students), faculty, staff, and third parties regarding complaints of discrimination under Section 504/Title II and the District’s obligation to investigate and resolve any such complaints.

Reporting Requirements:

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

1. By June 25, 2021, the District will provide to OCR documentation demonstrating that the training was delivered in accordance with this Agreement, including agendas, copies of all training materials, and attendance sheets from the trainings. The attendance sheets shall include the names and titles of all District faculty and staff who participated in the training, as well as their signatures.

Action Item 3

If the Student applies to the XXXXX program and the Student's file is referred to the District prior to June 2023, the District will notify OCR and inform OCR whether the Student was offered enrollment at the District. The District will provide OCR with all relevant materials needed for OCR to audit the District's process in determining whether or not to offer the Student enrollment. If the student is at a grade level in which the District does not accept applications (per district protocol), then there will be no application submitted for consideration. Additionally, if the Student's application is accepted to an available XXXXX seat in the District, then the District will invite the Complainant and the Student to meet with the District to discuss any supplemental or extracurricular programs that may be made available to the student.

Reporting Requirements:

1. If XXXXX refers the Student's file to the District, the District will notify OCR within two weeks of receiving the referral and will also notify OCR of any enrollment decision within two weeks of making the decision, at which time, the District will provide OCR with all relevant materials needed for OCR to audit the District's process in determining whether to offer the Student enrollment.
2. If the Student is accepted into the District's XXXXX program, within 30 days of the Student's acceptance, the District will provide OCR with a copy of the meeting invitation referenced in Action Item 3, inform OCR whether the Complainant and Student accepted the invitation, and if so, provide OCR with a summary of the meeting and an explanation of any additional steps being taken by the District as a result of the meeting. If the District declines to take any additional steps following the meeting, the District will provide OCR with an explanation of its decision.

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: _____
Name and Title