

**RESOLUTION AGREEMENT**  
**North Adams Public Schools**  
***OCR Complaint No. 01-20-1025***

The North Adams Public Schools (District) has voluntarily 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 OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*.

**Action Item 1**

The District will review and revise as necessary its Section 504/Title II policies and procedures regarding evaluation and placement. The policies and procedures will ensure that:

- a. Any student who may need regular or special education or related aids and services because of a disability is evaluated before taking any action with respect to the student's initial placement and before any subsequent significant change in placement;
- b. That placement decisions will be made teams that include a group of persons who are knowledgeable about the subject student, his/her disability, the meaning of the evaluation data, and the placement options.
- c. In making placement decisions, teams will adhere to the procedural requirements of Section 504 and will determine the regular or special education or related aids and services that are needed to meet the individualized needs of the student as adequately as the needs of students without disabilities are met; and,
- d. Students are periodically reevaluated, including being reevaluated prior to any significant change of placement.

**Reporting Requirements:**

By 4/30/21, the District will adopt, implement, and publish the revised policies and procedures. The District will make this information available through its 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 Section 504/II training to teachers, para-professionals, and other District staff involved with or working with students at the Brayton Elementary School. The training will include:

**Reporting Requirements**

By 6/15/21, the District will provide to OCR:

- a. The credentials of the individual(s) who provided the training;
- b. A list of the individuals who attended the training and their positions;
- c. The date(s) the training was conducted; and
- d. 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 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/ Barbara Malkas Date:  1/15/21