

**RESOLUTION AGREEMENT**  
**Northampton Public Schools**  
**OCR Complaint No. 01-20-1033**

The Northampton Public Schools (District) has voluntarily entered into this agreement to resolve the allegation in the above-referenced complaint prior to the completion of OCR’s investigation pursuant to Section 302 of OCR’s *Case Processing Manual*. The District assures that it will take the following actions.

**Action Item 1**

Within 30 days of school opening after public health closure related to the COVID-19 outbreak, after providing proper written notice to the Student’s parents, the District will convene a team meeting to determine whether compensatory services are appropriate for the Student in consideration of the alleged failure during the 2018-2019 school year to provide the Student  
XXXXXXXXXX XXXXX XX XXX XXXXX XXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXX, as required by his IEP, and to revise and/or more clearly define this provision (e.g., definition, purpose, scope, and frequency of XXXXXXXXXXXX), if necessary to meet the Student’s needs. The District will ensure that the team includes a group of persons who are knowledgeable about the Student and his disability, the meaning of the Student’s evaluation data, and the placement options. The District will maintain detailed minutes of this meeting, make reasonable efforts to include the Student’s parents, and provide his parents with notice of the District’s procedural safeguards, including the right to challenge the team’s determination through an impartial due process hearing.

**Reporting Requirements**

Within 60 days of the execution of this Agreement, the District shall provide OCR with:

1. Any team meeting or other notes, including the names/titles of attendees, minutes of the meeting and, if applicable, an explanation of the District’s method for determining the type and amount of compensatory services deemed appropriate for the Student; and
2. Documentation showing that the Student received any compensatory services deemed appropriate by the team and/or a schedule for providing the Student with any remaining services.

**Action Item 2**

The District will review and revise as necessary its Section 504 and IDEA policies/procedures to ensure that the District promptly convenes a student’s IEP or Section 504 team upon notice of an alleged failure to implement the student’s IEP or Section 504 plan whenever (a) the District’s initial response to the alleged failure has not immediately resolved the problem, or (b) the alleged failure may have denied the Student a free appropriate public education. In such circumstances, the District will make reasonable efforts to include the student’s parent(s)/guardian(s) and any individual(s) who allegedly failed to implement the student’s IEP or Section 504 plan in the

meeting, and determine what actions, if any, are necessary to resolve the issue and prevent its recurrence.

**Reporting Requirements:**

1. Within 30 days of the execution of this Agreement, the District will submit its revised policies/procedures to OCR for its review and approval.
2. Within thirty 30 days of OCR’s approval, the District will adopt, implement, and publish the revised policies/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 and that parents/guardians, administrators, and staff are effectively notified of the applicable revisions. 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 policies/procedures.

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/ John Provost Date: 4/3/2020  
Superintendent  
Northampton Public Schools