

RESOLUTION AGREEMENT
Brookline Public Schools
OCR Complaint Nos. 01-20-1276 & 01-20-1281

The Public Schools of Brookline (District) has voluntarily entered into this agreement to resolve the allegations in the above-referenced complaints. The District assures that it will take the following actions.¹ The District agreed to resolve these complaints prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*.

Action Item 1: Training on Retaliation & Section 504 Grievance Procedures

By April 1, 2021, the District will provide Section 504/Title II training to the District's Superintendent, Deputy Superintendent for Student Services, 504 Coordinator(s), and school principals. The training will include a review of the District's recently revised Section 504 grievance procedures, including how to respond to complaints of discrimination or retaliation and when to refer complaints up the chain of command, e.g., when the complaint is brought directly to the person being accused of discrimination. The training will also include a specific section on retaliation, including what constitutes a protected activity and what the District should consider before taking action against an individual who may be considered to be engaging in a protected activity.

Reporting Requirement:

By March 15, 2021, the District will provide to OCR for its review and approval:

- a. The credentials of the District's proposed trainer; and
- b. Copies of any training materials to be disseminated.

By April 15, 2021, the District will provide to OCR:

- c. A list of the individuals who attended the training and their positions;
- d. The date(s) of the training; and
- e. Copies of any training materials disseminated.

Action Item 2: Notice to District Families

The District will send a communication to all district families defining retaliation in the context of Section 504, notifying families that the District prohibits such retaliation, directing individuals who believe they have been subject to retaliation where/how to file a complaint, ensuring them that the District will take seriously and will respond to all complaints of discrimination and retaliation, and directing them to a contact person if they have questions about the notice. The communication will also include a statement that the District is sending the notice to resolve compliance concerns with respect to a retaliation complaint filed with OCR.

¹ OCR made a violation finding on OCR #01-21-1012, another retaliation complaint. Action Items 1 and 2 are also included in the resolution agreement for Complaint #01-21-1012.

Reporting Requirement

By March 15, 2021, the District will provide to OCR a copy of the notice and an explanation of how the District distributed the notice.

Action Item 3: Notice to Special Education Parent Advisory Council Board

The District will send an e-mail to the Special Education Parent Advisory Council Board (SEPAC Board) notifying them the District has not prohibited any advocates from representing families in the District, and that SEPAC Board members may recommend any advocate of their choosing to families who inquire. The communication will also state that while SEPAC is the officially designated parent advisory group under M.G.L. Chapter 71B, the District does not object to other Parent/Guardian/Advocate groups from forming in the District.

Reporting Requirement

- a. By March 1, 2021, the District will provide to OCR a copy of the e-mail for OCR’s review and approval.
- b. Within 5 school days of approval by OCR on Action Item 3(a) the District will provide to OCR documentation that the e-mail was sent to SEPAC Board members.

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/_____ Date: _____
Dr. James Marini, Interim Superintendent