

RESOLUTION AGREEMENT
Marshfield Public Schools
OCR Complaint No. 01-22-1308

Marshfield 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. 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: Individual Remedy for the Student

After providing proper written notice to the Student's parents, the District will convene an Individualized Education Program (IEP) team meeting to determine: (a) whether during the 2021-2022 school year, the Student experienced effects of bullying (e.g., the Student had adverse changes in his academic performance, attendance, and/or behavior); (b) whether the Student's current IEP should be further revised to address any changes in his needs resulting from the effects of bullying; (c) the extent of missed instruction and/or related services following the bullying incident; and (d) whether the Student was denied a free appropriate public education (FAPE) as a result of the effects of bullying, and if so, what compensatory education and/or remedial services are necessary.

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.

Reporting Requirements

1. By **January 15, 2023**, the District shall provide OCR with any team meeting 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.

2. By **July 1, 2023**, the District shall provide OCR with documentation showing 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: Training and Data

The District will provide Section 504/Title II training to all special education administrators, Section 504/IEP team chairs, and other staff at the XXXXXXXXXXXXXXXXXXXX School responsible for evaluating/re-evaluating students for Section 504 plans/IEPs. The training will include the District's obligation to promptly convene a Section 504 or IEP team meeting to: (1) determine whether a student's educational needs may have changed as a result of the effects of bullying such that the student is no longer receiving FAPE, and if so (2) determine the extent to which additional or different services are needed, ensure that any needed changes are made

promptly, and safeguard against putting the onus on the student with the disability to avoid or handle the bullying.

Reporting Requirements

1. By **January 15, 2023**, the District will provide, for OCR’s review and approval, a copy of the training materials it will use, as well as the credentials of the trainer/presenter.
2. Within **45 days of OCR’s approval**, the District will provide OCR documentation of the trainings undertaken, including:
 - a. A list of the individuals who attended the training and their positions;
 - b. The date(s) the training was conducted; and
 - c. Copies of any training materials disseminated.
3. By **January 15, 2024**, the District will provide to OCR a list of: (a) XXXXXXXX XXXXXXXXXXXX School students with IEPs/Section 504 plans who were the targets of bullying from January 1, 2023 through December 31, 2023; (b) the date(s) of the bullying incident(s); and (c) the date(s) that the students’ IEP/Section 504 teams met during this period.

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/ _____
Jeffrey Granatino, Superintendent

Date: November 7, 2022