

**RESOLUTION AGREEMENT**  
**Littleton Public Schools**  
**OCR Case 08-21-1145**

In order to resolve an allegation in case number 08-21-1145, filed against Littleton Public Schools (“District”) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR), the District agrees to implement this Resolution Agreement (“Agreement”).

The District assures the Office for Civil Rights (OCR) of the U.S. Department of Education (“Department”) that the District will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and its implementing regulation which prohibit recipients of federal funding from the Department from discriminating based on disability; and Title II of the Americans with Disabilities Act of 1990 (“Title II”) which prohibit discrimination on the basis of disability by public entities.

During the investigation, before OCR made findings, the District indicated its willingness to voluntarily resolve the complaint pursuant to Section 302 of OCR’s *Case Processing Manual*. The District’s decision to enter into this Agreement is not an admission of liability or wrongdoing, nor shall it be construed as such.

1. The District will provide XXX XXX (Student’s mother) with six hundred and sixty dollars (\$660.00) to reimburse her for additional counseling sessions the Student received in January and February 2021 relating to the events alleged in the complaint.<sup>1</sup>

**REPORTING REQUIREMENT 1:** Within 30 days of signing the Agreement, the District will provide documentation to OCR illustrating that the reimbursement has been paid to XXX XXX.

2. By September 30, 2021, the District will convene a team of knowledgeable people to determine whether the Student is entitled to compensatory services or other remedial measures, including additional counseling, at the District’s expense, as a result of the events alleged in the complaint.

The District will ensure that: the meeting is held in a manner that is consistent with the procedural requirements of Section 504; the Team includes staff members from the Student’s school who have knowledge of the matters being considered; the Student’s parent is invited to attend the meeting and can invite other persons knowledgeable about the Student to attend the meeting; the Team carefully considers all relevant information, including input from the Student’s parent and her invitee(s), if any; and any decisions made reflect the judgment of the Team, and not the judgment of a single individual.

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<sup>1</sup> The Student attended two additional sessions in January and two additional sessions in February in addition to his regularly scheduled counseling sessions. Each session cost XXX XXX \$165.

**REPORTING REQUIREMENT 2:** Within 14 days of convening the initial meeting, the District will provide documentation to OCR illustrating that the meeting was held according to the terms laid out in Term 2.

3. If, at the meeting described in Term 2, the Team determines that the Student is entitled to compensatory services or other remedial measures, the Team will develop a written plan that includes, at a minimum: the type(s) and amount(s) of compensatory services or other remedial measures owed; who will be providing the compensatory services or other remedial measures; and when the compensatory services or other remedial measures will be provided, including a start date, schedule, and anticipated completion date.

**REPORTING REQUIREMENT 3:** Within 14 days of convening the initial meeting, the District will provide OCR with either a copy of the written plan described in Term 3 or documentation explaining the Team's decision not to provide the Student with compensatory services or other remedial measures.

4. The District will ensure that within 10 calendar days of the meeting, the Student's parent is notified, in writing, of the decisions made at the meeting, including all decisions regarding compensatory services or other remedial measures and given applicable procedural safeguards.

The District will ensure that within 10 calendar days of any meeting that results in the creation of a plan for compensatory services or other remedial measures, the Student's parent is notified, in writing, of the plan.

**REPORTING REQUIREMENT 4:** Within 14 days of convening the initial meeting, the District will provide OCR with documentation illustrating that the Student's parent was notified of the meeting outcome and plan as described in Term 4.

5. The District will ensure that the plan for compensatory services or other remedial measures, if created, is implemented with fidelity.

**REPORTING REQUIREMENT 5:** Within six months of the meeting, the District will submit documentation to OCR demonstrating that all compensatory services or other remedial measures determined by the team are being provided to the Student, or are completed.

The District will promptly and fully address OCR's feedback on all of the above terms, if any, until OCR notifies the District that no further reporting is required.<sup>2</sup>

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. Sections 100.9, 100.10), or judicial proceedings

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<sup>2</sup> OCR does not typically substitute its judgment for the decisions made by an IEP team that is properly constituted and that takes appropriate actions in light of the requirements of due process.

