

RESOLUTION AGREEMENT

I. INTRODUCTION

Brockton School District 55 & 55F (“the District”) enters into this voluntary agreement to resolve the allegation asserted in a complaint (OCR Reference No. 10191038) filed with the Office for Civil Rights (OCR) of the U.S. Department of Education under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and Title II of the Americans with Disabilities Act of 1990 (“Title II”).

II. REMEDIAL AND REPORTING PROVISIONS

A. Reevaluation of subject student.

1. By February 1, 2019, the District will convene a Section 504 team and complete the reevaluation of the disability-related needs of the student who is the subject of the complaint to ensure the student receives a free appropriate public education.
2. By February 15, 2019, the District will submit a report to OCR about the results of the reevaluation of the student.

B. Policies and procedures.

1. By March 1, 2019, the District will provide, for OCR’s review and approval, a copy of the District’s Section 504 policies and procedures for the provision of a free appropriate public education to students with disabilities and evaluation and reevaluation of such students.
2. Within 120 calendar days of receiving OCR’s approval of the policies and procedures submitted pursuant to section B.1. of this agreement, the District will provide OCR with documentation to substantiate that it has adopted and is implementing the OCR-approved policies and procedures to the extent they differ from the District’s existing policies and procedures.

C. Training.

1. By the end of the 2018–2019 school year, the District will deliver comprehensive training to the District’s designated Section 504 coordinator, superintendent, Principals, and teachers, and other relevant employees. The training will include information about the District’s responsibilities under Section 504 for providing a free appropriate public education to students with

disabilities, evaluating and reevaluating students, and developing Section 504 plans.

2. 30 calendar days after such training, the District will submit a report to OCR about the provision of the training required by section C.1. of this agreement.

III. GENERAL PROVISIONS

D. 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 this agreement. Further, the District understands that during the monitoring of this agreement, if necessary, OCR, with prior notice, may visit the District, interview staff members, and request such additional reports or data, as are necessary for OCR to determine whether the District has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§ 104.33 and 104.35 and the regulation implementing Title II at 28 C.F.R. § 35.130, which are at issue in this case. Upon completion of the obligations under this agreement, OCR shall close this case.

E. The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this agreement and/or the applicable statutes and regulations. Before initiating such proceedings, OCR shall give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.

Signed:

_____/s/_____
Mr. Steve Engebretson
Superintendent
Brockton School District

January 2, 2019
Date