

RESOLUTION AGREEMENT
Shrewsbury Borough School District
Case No. 02-11-1076

In order to resolve the compliance concerns identified in Case No. 02-11-1076, Shrewsbury Borough School District assures the U.S. Department of Education, New York Office for Civil Rights (OCR), that it will take the actions detailed below pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104 (Section 504); and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35. Nothing contained herein shall constitute an admission of liability on the part of the Shrewsbury Borough School District or Shrewsbury Borough Board of Education.

Action Item 1:

By January 31, 2014, the District will hold an IEP meeting for Student 1 to discuss the District's current provision of special education and related services and whether Student 1 requires compensatory educational services related to any demonstrated regression occasioned by a lack of communication by weekly emails to the complainants and xxxxxxxxxxxx during school year 2010-2011. The District will provide the complainants with advanced written notice of the meeting. If the IEP team determines that Student 1 requires compensatory educational services, the District will develop a plan for providing the services; with a completion date for providing the services not to extend beyond June 30, 2014.

Reporting Requirement:

- (a) By February 15, 2014, the District will submit to OCR a copy of a letter confirming the meeting referred to in Action Item 1 above, including an explanation for decisions made and a description of and schedule for providing compensatory services, if any.
- (b) The District will submit to OCR documentation demonstrating the completion of any compensatory services provided pursuant to Action Item I within thirty days after the final date on which such services were provided, but no later than June 30, 2014. The documentation will include information regarding how services were provided and the name(s) of the service provider(s).

Action Item 2:

By January 31, 2014, the District's Superintendent of Schools will e-mail relevant District employees, including but not limited to CST personnel, and any teachers, xxxxxxxxxxxxxxxxxxxx currently working with the complainants' children that they are not required to follow the instructions provided by the xxxxxxxxxxxxxxxxxxxx on xxxxxxxxxxxx. The Superintendent will notify the complainants, in writing, of such action.

Reporting Requirement: By February 15, 2014, the District will provide documentation to OCR demonstrating that it has provided the notice to staff and the complainants as described in Action Item 2 above.

Action Item 3:

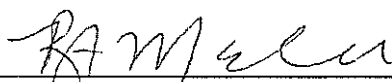
By February 28, 2014, the District will provide training to School administrators, case managers, teachers, and other relevant staff at the School, regarding the requirements of the regulation implementing Section 504, including the timely and consistent provision of related aids and services deemed appropriate by a group of knowledgeable persons; and the prohibitions against retaliation, as described in the regulation implementing Section 504. In conjunction with the retaliation training, the training will include a discussion of the following: (a) what constitutes a protected activity; (b) the prohibition on adverse actions in response to those protected activities; (c) recognizing acts of retaliation and intimidation, and their effects on individuals who engaged in protected activities; and (d) that the District will take effective action, including disciplinary action where appropriate, against administrators or staff found to have engaged in retaliatory conduct.

Reporting Requirement: By March 15, 2014, the District will provide documentation to OCR demonstrating that training was provided in accordance with the Action Item 3 above; including: (a) the names and credentials of the individuals who conducted the training; (b) the date(s) of the training; (c) copies of any training materials distributed; and (d) proof of attendance by the above-mentioned District staff.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the District understands that during the monitoring of this Agreement, 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 of this Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§ 104.33 and 104.61; and the ADA, at 28 C.F.R. § 35.130, which were at issue in this case. The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 at 34 C.F.R. §§ 104.33 and 104.61, and the ADA, at 28 C.F.R. § 35.130. 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. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

11 Feb. A

Date



[Authorized Official]
Shrewsbury Borough School District