

**RESOLUTION AGREEMENT**  
**Lynn Public Schools**  
**OCR Complaint No. 01-15-1227**

The Lynn Public Schools (the District) has entered into this agreement to resolve the allegations in the above-referenced complaint. The District assures that it will take the following actions and will meet its obligation to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II).

I. Individual Remedies

- A. The District will continue to fund an outside educational placement that meets the individual needs of the Student until a time when the District is no longer fiscally responsible, she graduates with a regular diploma, or she exceeds the age eligibility for a free appropriate public education under state law.
- B. As compensatory services for the issues in this case, for two summers, the District will fund summer programming for the Student. In determining the placement, the District will convene the Student's IEP team to identify summer programming that meets the Student's educational, emotional, and social needs. The District will fund the placement at the program and will provide any required transportation. The District will convene the team in a time period that allows for the timely application and enrollment of the Student in a summer program.

Reporting Requirements: Within 2 weeks of the IEP Team's decision, the District will submit to OCR for its review and approval documents supporting the team's decision regarding the summer program. The N1 and IEP Team meeting notes shall include documentation showing the participants in the meeting, an explanation for decisions made, the information considered, and a description of the steps that will be taken and schedule for enrolling the Student in a summer program. Such determinations shall be consistent with the procedural requirements of the regulation implementing Section 504. Within two weeks following the conclusion of the summer program, the District will provide documentation to OCR demonstrating that it funded the Student's summer program.

II. Systemic Remedies

- A. The District will revise any current Section 504 policies and procedures to explicitly state the steps the District will take for any student entering the District with an IEP or 504 plan from another district. The policy will ensure that:
  - a. The District will convene a team of knowledgeable people to review the student's records within 15 days of the student's enrollment in the District;
  - b. The team assesses whether the required evaluation materials supporting the student's disability and placement are in the file;

- c. If the documents do not exist, the District will contact the sending district to receive any available information;
- d. If there are still no evaluative documents available, the District will conduct necessary and timely evaluations, consistent with the requirements of Section 504;
- e. If evaluative documents are available, the team will determine if the student's goals and educational needs can be met in the new program, if further evaluations are needed, or if a new plan needs to be developed; and
- f. The team will make all placement issues consistent with the procedural requirements of Section 504.

Reporting Requirements: By September 1, 2018, the District will submit its revised procedures for OCR's review and approval. Within 30 days of approval from OCR, the District will provide OCR with documentation demonstrating that it has adopted and disseminated these procedures in the normal course of business. By June 30, 2019, the District will provide OCR with a list of the names of students who transferred into the district on a 504 plan, including notation of date of initial meeting, whether there was evaluation information provided to the district, and if the District proposed additional evaluations. Upon receipt and review of this information, OCR will complete file reviews of the underlying documents as it deems necessary.

- B. The District will submit District procedures that clearly define the roles, responsibilities for administration to engage and use the SROs in the District. These procedures will not require the District to interfere with SROs' handling of emergency public safety matters, or serious school-based criminal conduct. The revised procedures will:
  - a. State that school administrators will not involve SROs in routine discipline, particularly when disciplining or addressing the needs of a student with a disability, and distinguish between disciplinary infractions appropriately handled by school officials versus threats to school safety or serious school-based criminal conduct that cannot be safely and appropriately handled by the school's internal disciplinary procedures, and how to contact and involve law enforcement when warranted;
  - b. Ensure District administrators receive appropriate training on their role and responsibilities, and on interacting with students with disabilities;
  - c. Ensure District administrators receive appropriate training on their role and responsibilities regarding the engagement of the SRO in school related matters; and
  - d. Require the District to collect data and monitor interactions by SROs with students to ensure discrimination does not occur.

Reporting Requirements: By September 1, 2018, the District will submit its procedures for OCR's review and approval. Within 30 days of approval from OCR, the District will provide OCR with documentation demonstrating that it has adopted and widely disseminated these procedures to staff. This documentation will include training materials provided to the SRO. By June 30, 2019, the District will provide

OCR with documentation that it has trained SROs, collected data and monitored actions SROs have taken.

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 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 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 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: Catherine C. Latham, Superintendent Date: 7/26/18  
Name and Title