



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

THE WANAMAKER BUILDING, SUITE 515
100 PENN SQUARE EAST
PHILADELPHIA, PA 19107-3323

REGION III
DELAWARE
KENTUCKY
MARYLAND
PENNSYLVANIA
WEST VIRGINIA

March 21, 2014

Re: OCR Docket #03141025

Dr. Kevin Maxwell
Chief Executive Officer
Office of the Chief Executive Officer
Sasser Administration Building
14201 School Lane
Upper Marlboro, MD 20772

Dear Dr. Maxwell:

This is to notify you of the resolution of the complaint filed against the Prince George's County Public Schools (the District) with the U.S. Department of Education (Department), Office for Civil Rights (OCR). xx xxxxxxxx xxxxxx (the Complainant) alleges that the District discriminated against her son, xxxxxxxx xxxxxx (the Student) on the basis of disability during the fall 2013 by:

1. failing to implement his Section 504 Plan as follows:
 - a. not escorting him to the nurse's office to xxx xxxxxxxx xxxxxxxx;
 - b. not permitting unlimited use of restroom breaks;
 - c. not providing xxxxxxxx information to all staff, including teachers, substitute teachers, and the bus driver; and
 - d. not providing xxx xxxxxxxx xxxxxxxx in a timely manner on September 25 and October 24, 2012 when x xxxxx xxx xxx xxxxxxxx at the School;
2. denying him participation in xx xxxxxxxx xxx xxxx xxxxx xxxx; and
3. suspending him for being in the hallway when he was on his way to the nurse's office xx xxx xxxxxxxx xxxxxxxx.

OCR enforces:

- Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104. Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance.
- Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, and its implementing regulation, 28 C.F.R. Part 35. Title II prohibits discrimination on the basis of disability by public entities.

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

As a recipient of Federal financial assistance from the Department and a public entity, the District is subject to Section 504, Title II and their implementing regulations.

Under OCR procedures, a complaint may be resolved before the conclusion of an investigation if a recipient asks to resolve the complaint by signing a voluntary resolution agreement. The provisions of the agreement must be aligned with the complaint allegations and be consistent with applicable regulations. Such a request does not constitute an admission of liability on the part of a recipient, nor does it constitute a determination by OCR of any violation of our regulations.

Consistent with OCR's procedures, the District requested to resolve the complaint allegations through a voluntary resolution agreement (the Agreement) which was executed on March 18, 2014. Accordingly, OCR is concluding its investigation of this complaint. A copy of the signed agreement is enclosed. As is our standard practice, OCR will monitor the District's implementation of the Agreement.

This letter is not intended, nor should it be construed, to cover any other issues regarding the District's compliance with Section 504 or Title II and their implementing regulations that may exist and are not discussed herein.

Under the Freedom of Information Act it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions, you may contact Victoria Springs of our staff, at 215-656-3249 or by email victoria.springs@ed.gov.

Sincerely,

/s/

Beth Gellman-Beer
Team Leader