



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

**November 15, 2013**

**IN RESPONSE, PLEASE REFER TO: 03131134**

Kevin M. Maxwell, Ph.D.  
Superintendent  
Anne Arundel County Public Schools  
2644 Riva Rd  
Annapolis, MD 21401-7305

Dear Dr. Maxwell:

This is to notify you of the resolution of the above-referenced complaint filed with the U.S. Department of Education (the Department), Office for Civil Rights (OCR), against the Anne Arundel County Public Schools (the District). xxx xxx (the Complainant) alleged that the District discriminated against his daughter, xxx (the Student), by not implementing the Student's 504 plan xxxxxxxx xx x xxxxxxx xxx xx xxxxxxx xx xxx xxx xxxxxxx xxxxxxxx xxx xxx xxxxxxx xxx xxx xxxxxxx during the 2012-2013 school year.

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.

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

Upon further review of the Complainant's allegations, OCR has determined that the allegation regarding the District's failure to provide xxxxxx xxxxxxx xxx xxx xxxxxxx xxx xxx xxxxxxx is untimely and, therefore, OCR will not proceed with the investigation of this allegation and it is dismissed.

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 remaining allegations in the complaint through a Voluntary Resolution Agreement (the Agreement), which was executed on November 14, 2013. 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.

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, we 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. Please be advised that the District may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the Complainant may file another complaint alleging such treatment.

Thank you for your cooperation in this matter. If you have any questions, please feel free to contact Sarah McCarthy, Team Attorney, at (215) 656-6416, or by email at [sarah.mccarthy@ed.gov](mailto:sarah.mccarthy@ed.gov).

Sincerely,

/s/

Vicki Piel  
Supervisory Attorney and Team Leader  
Philadelphia Office

Enclosure

cc: Allison Steinfelds, Esq. (via email only)