

**VOLUNTARY RESOLUTION AGREEMENT**  
**OCR Complaint #03131134 – Anne Arundel County Public Schools**

To resolve the allegations in the above-referenced complaint, filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act of 1990 (Title II) and their implementing regulations, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, Anne Arundel County Public Schools (the District) enters into this voluntary resolution agreement (Agreement) and commits to implement the provisions in this Agreement. The District agrees to implement the following Action Steps.

**Action Steps**

1. The District recognizes and affirms its obligations under 34 C.F.R. Section 104.4(a) that a qualified student with a disability shall not be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity which receives Federal financial assistance.
2. The District recognizes and affirms its obligation under 34 C.F.R. Section 104.33 to provide each student with a disability with the regular or special education and related aids and services that are deemed necessary for the student.
3. By January 31, 2014, the District will send a memo to all personnel at xxxxxxxx xxxx School (the School) who are involved in the implementation of Section 504 plans, reminding them of their obligations to implement the terms of Section 504 plans in a timely manner, ensuring that they are in place and ready to be implemented prior to the beginning of the school year.

**Reporting Requirement**

By February 14, 2014, the District will submit evidence of the distribution of the above-referenced memo, including a list of the names and titles of the persons who received it and the method for its issuance.

4. By January 31, 2014, the District will convene a multidisciplinary team evaluation meeting, in accordance with the evaluation, placement and procedural safeguard requirements of 34 C.F.R. Sections 104.35 and 104.36, to determine whether xxxxx xxxxxx (the Student) is eligible for any compensatory education or services for the period of time during the 2012-2013 school year due to the alleged failure to implement the provision of xxx Section 504 Plan concerning xxx xxx xx xxxxxxxxxxx xxxxxxxxxxx xxxxx. The District will, in writing, invite xxxx xxxxxx (the Complainant) and the Student to attend the multidisciplinary team meeting(s) at least 10 days in advance of the meeting(s).

As part of this process, the District will:

- a. Determine what education or services, if any, are needed to offset any educational loss due to the alleged failure to properly implement the provision of her Section 504 plan concerning xxxxxxxxxx xxxxxxxx xxxxx xx xxxx xx xxx xxxxxxxx during the 2012-2013 school year, and the appropriate beginning and ending dates that these, as applicable, will be provided to the Student.
- b. Provide the Complainant with written notice of the outcome of the meeting, via certified mail, including a description of any education or services to be provided, the subject areas covered, the amount of services, where and when the services will be provided, including the appropriate beginning and ending dates for the services, and any transportation that will be provided to the Student in conjunction with these services. The education or services shall be delivered in a manner so as not to hinder the delivery of any services that are required by the Student's current educational program. The notice will identify the applicable procedural safeguards, in accordance with the requirements of 34 C.F.R. Section 104.36. If the multidisciplinary team determines that no educational loss occurred and that no additional services or education is necessary, the District will provide a letter to the Complainant with an explanation of its decision, including the basis for its decision.

#### Reporting Requirement

On or before February 14, 2014, the District will provide OCR with certification that an evaluation meeting was held in accordance with item #4 above and the outcome of that meeting.

On or before February 14, 2014, the District will provide OCR with a copy of the letter sent to the Complainant regarding its determination of the need for education and services to be provided to the Student, which includes the details described in item #4b above.

This Agreement does not constitute an admission of liability on the part of the District and does not constitute a determination by OCR of any violation of Section 504 and Title II.

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 provisions of Section 504 and Title II.

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 terms of this Agreement and the provisions of Section 504, Title II, and the implementing regulations of each that are applicable to this complaint.

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.

/s/

11/14/2013

\_\_\_\_\_  
Superintendent or designee

\_\_\_\_\_  
Date