



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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REGION III
DELAWARE
KENTUCKY
MARYLAND
PENNSYLVANIA
WEST VIRGINIA

August 8, 2014

IN RESPONSE, PLEASE REFER TO: #03141124

Dr. Kevin M. Maxwell
Chief Executive Officer
Prince Georges County Schools
Sasscer Administration Building
14201 School Lane
Upper Marlboro, MD 20772

Dear Dr. Maxwell:

This is to notify you of the resolution of the referenced complaint filed against the Prince Georges County Schools (the District) with the U.S. Department of Education (Department), Office for Civil Rights (OCR). The Complainant alleged that the District discriminated against xxx xxx (the Student) on the basis of xxx disability. Specifically, the Complainant alleged that the District failed to implement all provisions of the Student's Section 504 Plan during the 2013–2014 school year, and denied the Student the opportunity to participate xx xxx xxxxx xxxx at DuVal High School (the School).

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. Section 504 also prohibits retaliation.
- 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. Title II also prohibits retaliation.

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

In accordance with OCR case processing 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

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allegations and be consistent with the applicable regulations. Such a request does not constitute an admission of liability on the part of the recipient.

Consistent with OCR's procedures, the District requested to resolve the complaint allegations through a voluntary agreement (the Agreement) which was executed on August 7, 2014. Accordingly, OCR is concluding the investigation of this complaint. A copy of the signed agreement is enclosed. As is standard practice, OCR will monitor the District's implementation of the Agreement, and the District's continued compliance with Section 504 and Title II is contingent on the District's full implementation of the Agreement.

This letter is not intended, nor should be construed, to cover any other issues regarding the District's compliance with Section 504 and Title II and their implementing regulations that may exist, and are not discussed herein. The complainant may file a private suit in federal court, whether or not OCR finds a violation.

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.

If you have questions or concerns, you may contact Ihor Stefan Bilynsky, Equal Opportunity Specialist, at 215-656-8521, or by email at Ihor.Bilynsky@ed.gov, or Andrea DelMonte, Team Attorney, at 215-656-8554, or by e-mail at Andrea.DelMonte@ed.gov.

Thank you for your cooperation in this matter.

Sincerely,

/s/

Melissa M. Corbin
Team Leader

Enclosure