

Resolution Agreement
Baltimore County Public Schools
Docket #: 03-14-1155

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 its implementing regulation at 34 C.F.R. Part 104 and Title II of the Americans with Disabilities Act (Title II) and its implementing regulation at 28 C.F.R. Part 35, Baltimore County Public Schools (the District) voluntarily enters into this Resolution Agreement (Agreement). This Agreement does not constitute an admission of liability on the part of the District, nor does it constitute a determination by OCR that the District violated any of the regulations enforced by OCR.

The District voluntarily makes the following commitments to OCR:

1. The District acknowledges its obligation under Section 504 and Title II to provide reasonable accommodations to the known physical or mental limitations of an otherwise qualified employee with a disability, unless the District can demonstrate that the accommodation would impose an undue hardship on the operation of its program or activity. The District also acknowledges its obligation under Section 504 and Title II to refrain from retaliating against parties who have engaged in a protected activity or participated in the resolution process of complaints alleging discrimination in violation of statutes and regulations enforced by OCR. Within one week of the execution of this agreement, the District will distribute a memorandum, or similar document, to its xx—sentence deleted--xx.

Reporting Requirement: By December 17, 2014, the District will provide OCR with a copy of the memorandum and distribution list.

2. Within one week of the execution of this agreement, the District will offer the Complainant the opportunity to resubmit xx—paragraph deleted--xx.

Reporting Requirement: By December 17, 2014, the District will provide OCR with a copy of the xx—sentence deleted--xx.

3. Also within one week of the execution of this Agreement, the District will send a memo to xx—sentence deleted--xx.

Reporting Requirement: By December 17, 2014, the District will provide OCR, with a copy of the memo and a list of the xx—phrase deleted--xx to whom the memo was sent.

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 complied with the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II, at 34 C.F.R. §§ 104.12 and 104.61, and 28 C.F.R. §§ 35.130 and 35.134, which were at issue in this complaint.

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 regulations implementing Section 504 and Title II, at 34 C.F.R. §§ 104.12 and 104.61, and 28 C.F.R. §§ 35.130 and 35.134, which were at issue in 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 University written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Superintendent or Designee
Baltimore County Public Schools

____11/13/14_____
Date