

Resolution Agreement
OCR Complaint # 03151191
Anne Arundel County Public Schools

In order to resolve the allegation 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 regulations at 34 C.F.R. Part 104 and Title II of the Americans with Disabilities Act (Title II) at 28 C.F.R. Part 35, the Anne Arundel County Public Schools (the District) commits to implement the provisions set forth in this Resolution Agreement (Agreement) below.

Action Steps

1. The District recognizes its obligation under the regulation implementing Section 504 at 34 C.F.R. § 104.33 to provide a free appropriate public education (FAPE) to each qualified student with a disability in its jurisdiction. By August 15, 2015, the District will send a memorandum to all personnel who are involved in the planning, execution and delivery of XXXXXX for the Student, reminding them of their obligation to provide a FAPE to each qualified student with a disability in its jurisdiction, including the provision of transportation services.

Reporting Requirement: By August 30, 2015, the District will submit to OCR evidence of the distribution of the above-referenced memorandum including the list of the names and titles of personnel who received the memorandum.

2. By September 1, 2015, after providing proper written notice to the Student's parent/guardian, XXXXXX

Reporting Requirements:

XXXXXX ensure that the District met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, in making these determinations.

XXXXXX

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Agreement. 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 regulations implementing Section 504 at 34 C.F.R. § 104.33 and 34 C.F.R. § 100.7(e), as incorporated by 34 C.F.R. § 104.61 which were at issue in this case.

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 at 34 C.F.R. § 104.33 and 34 C.F.R. § 100.7(e), as incorporated by 34 C.F.R. § 104.61 which were at issue in this case.

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 and 100.10) or judicial proceeding to enforce this Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/

7.29.15

Superintendent or Designee

Date