

Resolution Agreement
Anne Arundel County Public Schools
OCR Case No. 03151207

In order to resolve XXXXXX 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), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination based on disability, Anne Arundel County Public Schools (the District) voluntarily enters into this Resolution Agreement and makes the following commitments to OCR.

This Agreement does not constitute an admission of liability by the District, nor does it constitute a determination by OCR that the District violated any of the regulations enforced by OCR.

Action Step 1

The District acknowledges its obligation under Section 504 and Title II to ensure that no person, on the basis of disability, is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any District program or activity or treated differently on the basis of disability.

By May 31, 2016, the District shall disseminate a memorandum to all administrators, teachers and staff at XXXXXX (the School), reminding them of their obligation not to treat students with disabilities differently than non-disabled students, generally and specifically, with respect to discipline or other actions that are taken in response to their behaviors or conduct, unless such treatment is consistent with the student's Section 504 Plan or IEP, as applicable.

Reporting Requirement

By June 30, 2016, the District shall submit to OCR a copy of the memorandum, a list of the names and titles of the persons who received the memorandum, an explanation of the manner in which it was distributed and the date it was disseminated.

Action Step 2

xx – paragraphs redacted – xx

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, if necessary, OCR may visit the District, interview employees 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. §§ 104.4, 104.33, 104.35, 104.36, and Title II, at 28 C.F.R. § 35.130, 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, at 34 C.F.R. § 104.4, §§ 104.4, 104.33, 104.35, 104.36, and Title II, at 28 C.F.R. § 35.130, 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 District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

/s/

3.21.16

Superintendent or Designee

Date