

**Resolution Agreement  
Prince Georges County Public Schools  
OCR Case No. 03161112**

In order to resolve the allegations raised 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, and 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, the Prince Georges 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 to provide a free appropriate public education (FAPE) to each qualified individual with a disability within its jurisdiction, regardless of the nature or severity of the individual's disability in accordance with Section 504 at 34 C.F.R. § 104.33, and Title II at 28 C.F.R. § 35.130. In addition, the District recognizes its obligations under Section 504 at 34 C.F.R. § 104.33 to fully implement education programs (including Individualized Education Programs and Section 504 Plans) for students with disabilities and to evaluate and place each qualified student with a disability pursuant to 34 C.F.R. § 104.35.

By June 30, 2016, the District shall distribute a memorandum to all staff reminding them of their obligation to provide a FAPE to each qualified student with a disability, which includes implementing each student's Section 504 Plan or IEP, as applicable. The memorandum will also remind staff that the Section 504 regulation, at 34 C.F.R. § 104.35(c), requires that a school district draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; establish procedures to ensure that information obtained from all such sources is documented and carefully considered; ensure that the placement decision is made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and the placement options; and ensure that each student with a disability is educated with peers without disabilities to the maximum extent appropriate to the needs of the student with a disability.

**Reporting Requirement**

By July 15, 2016, the District shall submit to OCR a copy of the memorandum distributed to all staff above, a list of the names and titles of the persons who received the memorandum, and an explanation of the manner in which it was distributed, including the date.

**Action Step 2**

xx- paragraphs redacted-xx

**Reporting Requirements**

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, 104.33, 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 sixty (60) calendar days to cure the alleged breach.

\_\_\_\_\_  
/s/  
Superintendent or Designee

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May 13, 2016  
Date