

RESOLUTION AGREEMENT
University of Maryland, Baltimore
OCR Complaint #03-16-2103

The University of Maryland, Baltimore (the University) has agreed to resolve the allegation of disability discrimination raised in complaint #03162103 filed with the U.S. Department of Education, Office for Civil Rights (OCR). The University agrees to implement the following steps and to report the results of implementation to OCR. The Agreement does not constitute an admission of liability on the part of the University, nor does it constitute a determination by OCR of any violation of our regulations enforced by OCR.

The University recognizes its obligation under the regulation implementing Section 504 at 34 C.F.R. Section 104.44 (a) and Title II at 28 C.F.R. Section 35.130 (b)(7) to make such modifications to their academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified student with a disability. The University is not required to make modifications that are essential to the instruction being pursued or would fundamentally alter the nature of the service, program or activity.

Action Step #1

By September 1, 2016, the University will disseminate a memorandum/notice to all appropriate administrators, faculty, and staff at the University reminding them of their obligations under 34 C.F.R. Section 104.44(a) and 28 C.F.R. Section 35.130(b)(7), that the University shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless making the modifications would fundamentally alter the nature of the service, program, or activity. The University may use email to disseminate the memorandum/notice.

Reporting Requirements: By September 30, 2016, the University will provide OCR with a copy of the memorandum/notice sent to administrators, faculty, and staff at the University pursuant to Action Step #1 and the names and titles of staff members to whom the memorandum/notice was sent.

Action Step #2

xxx – paragraphs redacted – xxx

Action Step #3

xxx – paragraphs redacted – xxx

Reporting Requirements: Within 60 days of signing this Agreement, the University will provide OCR with documentation of its review of XXXXXX.

The University understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the University understands that during the monitoring of the Agreement, OCR may visit the University, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the recipient has fulfilled the terms of the Agreement and is in compliance with the regulations implementing

Section 504, at 34 C.F.R. § 104.44, and Title II, at 28 C.F.R. Section 35.130 (b)(7), which were at issue in this complaint.

The University understands that OCR will not close the monitoring of the Agreement until such time that OCR determines that the University has fulfilled the terms of the Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. § 104.44, and Title II, at 28 C.F.R. Section 35.130 (b)(7), which were at issue in this complaint.

The University understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings, including to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings, including to enforce the Agreement, OCR shall give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/

8/1/16

President and/or Designee
University of Maryland, Baltimore

Date