

**RESOLUTION AGREEMENT**  
**Frederick County Public Schools**  
**OCR Case No. 03-19-1227**

The U.S. Department Education, Office for Civil Rights (OCR) and Frederick County Public Schools (the District) enter into this Voluntary Resolution Agreement (Agreement) to resolve the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District.

The District assures OCR that it will take the following actions to ensure that it complies with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. Section 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. Sections 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

Prior to the completion of OCR’s investigation, the District agreed to resolve the issues presented in this complaint pursuant to Section 302 of OCR’s Case Processing Manual. Accordingly, to resolve the issues under investigation, the District agrees to take the actions outlined below.

**ACTION STEPS**

Memorandum to School Administrators and Staff

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. In addition, the District recognizes its obligations under Section 504, at 34 C.F.R. § 104.33, to fully implement Section 504 Plans and Individualized Education Programs (IEPs) for students with disabilities.

Within 15 calendar days of the beginning of the 2020-2021 school year, the District will disseminate a memorandum (this memorandum can be sent electronically) to administrators, teachers and other personnel who provide instruction to students at the XXXXXXXXXXXXXXXXXXXXXXXX (School), reminding them of their obligation to: (1) provide a FAPE to each qualified student with a disability and specifically, implement the provisions in students’ Section 504 Plans and IEPs; (2) ensure that parents/guardians are given timely and written notice of Section 504 and IEP meetings; and (3) conduct special education and Section 504 evaluations and make placement determinations in an appropriate and timely manner and in accordance with the procedural requirements of Section 504 at §§ 104.35 and 104.36.

Reporting Requirement: Within fifteen (15) days of sending the memo to administrators, teachers and other personnel in the School who provide instruction to students, the District

