

Voluntary Resolution Agreement
The SEED School of Maryland
OCR Complaint Number 03221296
Philadelphia Regional Office

The U.S. Department of Education, Office for Civil Rights (OCR) and the SEED School of Maryland (the School) enter into this Voluntary Resolution Agreement (Agreement) to resolve the allegation in the above-referenced complaint. Prior to the completion of OCR's investigation, the School agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the School.

The School assures OCR that it will take the following actions to comply 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, 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.

Action Item 1: Service Animal Policy

The School will develop a service animal policy (the Policy) that is consistent with the applicable provisions of the Title II implementing regulation at 23 C.F.R. §35.136. At a minimum, the Policy will:

- a. state general obligations under Title II to grant access to individuals who use service animals;
- b. include language that when it is not obvious what service an animal provides, staff may ask two questions:
 - (1) is the dog a service animal required because of a disability, and
 - (2) what work or task has the dog been trained to perform; and
- c. clarify that there is no requirement under Title II for a student or visitor with a service animal to:
 - (1) provide a veterinary health certificate,
 - (2) evidence of his or her disability, or
 - (3) evidence of the animal's certification as a service animal.

Reporting Requirements:

1. By February 1, 2023, the School will submit its proposed Policy to OCR for review and approval.
2. Within thirty (30) calendar days of receiving OCR's approval, the School will provide OCR with documentation that it has:

- a. formally adopted the Policy;
- b. published the Policy on its website and any other location where School policies are normally published;
- c. disseminated the Policy to all current School employees who are responsible for enforcing this policy, including administrators, teachers, counselors, and front office staff; and
- d. sent an electronic notification through normal communication channels notifying the school community, including all parents/guardians, of the Policy.

Action Item B: Training

Within 30 calendar days of the School's adoption of the Policy, the School will provide training to administrators, faculty, and staff who interact with students, parents/guardians, and members of the public on a) the District's nondiscrimination obligations pursuant to Section 504 and Title II to individuals with disabilities who use service animals, b) the Policy adopted pursuant to Action Item A.

Reporting Requirement:

Within 45 calendar days of OCR's approval of the Policy, the School will provide OCR with documentation that it has provided the required training required by Action Item B, including:

1. The date and time of the training;
2. A copy of any materials that the School used at the training;
3. A list of the attendees' names and titles;
4. A sign-in sheet, or if the training is conducted virtually, verification sufficient to show all attendees; and
5. The name, title, and credentials of the individual who conducted the training.

By signing the Agreement, the School agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. During the monitoring of the Agreement, if necessary, OCR may visit the School, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the School has fulfilled the terms of the Agreement.

The School understands that OCR will not close the monitoring of the Agreement until such time as OCR determines that the School is in compliance with the terms of the Agreement and with Section 504, Title II, and their implementing regulations at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue in this complaint.

The School understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings to enforce the specific terms of the Agreement and the applicable statutes and regulations. Before initiating such proceedings,

OCR will give the School written notice of the alleged breach and a minimum of 60 calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the School's representative below.

By: ___/s/ _____

Date: __11/11/2022_____