Resolution Agreement
OCR Complaint #03151230
Prince George's County Public Schools

To resolve the allegation in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), Prince George's County Public Schools (the District) voluntarily enters into this Resolution Agreement (the Agreement) and commits to implement the provisions set forth in this Agreement to ensure compliance with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 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 (Title II), 42 U.S.C. § 12132, and its implementing regulation at 28 C.F.R. Part 35.

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. The District also recognizes its obligations under Section 504 and its implementing regulation, at 34 C.F.R. § 104.33, to provide a free appropriate public education (FAPE) to each qualified individual with a disability within its jurisdiction and 34 C.F.R. § 104.33, regardless of the nature or severity of the individual's disability. 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. By January 30, 2016, the District shall disseminate a memorandum to 1) all administrators and staff in the XXXXXX who are involved in the hiring or training of substitute teachers and 2) all teachers at the School reminding them of their responsibility to provide a FAPE to each qualified student with a disability, which includes meeting the needs of students XXXXXX. The memorandum will also remind them that all substitute teachers must be notified of the needs of students with disabilities and documentation must be maintained in each teacher's master files regarding the needs of students with disabilities in each classroom, including those students XXXXXX.

Reporting Requirement

By March 1, 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, and an explanation of the manner in which it was distributed.

Action Step 2

x – paragraphs redacted – x

Reporting Requirements

x – paragraphs redacted – x

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, 104.36 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, 104.36 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/   Dec. 4, 2015

_____   _____
Superintendent (or designee)   Date