

RESOLUTION AGREEMENT
Frederick County Public Schools
Case No. 03-26-1199

The Frederick County Public Schools (District) enters into this resolution agreement (Agreement) to resolve the allegations in OCR Case No. 03-26-1199 and ensure the District's compliance with the requirements of 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 (Title II), 42 U.S.C. §§ 12131-12134, 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.

I. TRAINING FOR SCHOOL ADMINISTRATORS AND STAFF

- A. By **September 15, 2026**, the District will have a qualified individual provide training to all [redacted content] (School) administrators, Section 504 Coordinator, School staff who are members of Individualized Education Program (IEP) and Section 504 teams, and School staff who have responsibilities for implementing or supervising students on plans. At a minimum, the District will ensure its training includes:
1. The District's obligation to provide students with disabilities a free appropriate public education (FAPE), including its duty to properly implement a Section 504 plan, pursuant to the Section 504 regulations at 34 C.F.R. § 104.33;
 2. The District's obligation to remedy any denial of a FAPE, including determining whether to provide compensatory or other services; and
 3. The Section 504 and Title II's prohibition against disability discrimination, including disability harassment. The training will define harassment based on disability, provide examples, and describe the immediate steps the District will take to stop the harassment and prevent recurrence.
- B. **REPORTING REQUIREMENT:** By **September 30, 2026**, the District will provide OCR documentation of the training required by Item I, including the dates of the training, name(s) and title(s) of the trainer(s), a copy of the materials used or distributed during the training, and a list of School staff who attended the training.

II. TRAINING FOR INVESTIGATOR

- A. By **September 15, 2026**, the District will have a qualified individual provide training to the Investigator on how to investigate complaints of discrimination based on disability, including disability harassment and other theories of disability discrimination. The training will define disability discrimination, including harassment based on disability, with examples; the appropriate standard of review; and the range of remedies available to redress discrimination.

- B. **REPORTING REQUIREMENT:** By **September 30, 2026**, the District will provide OCR documentation of the training required by Item II, including the dates of the training, name(s) and title(s) of the trainer(s), and a copy of the materials used or distributed during the training.

III. INDIVIDUAL REMEDY

- A. By **September 15, 2026**, the District will notice and properly convene a group of persons knowledgeable about Student A (i.e., Student A's Section 504 team, including Student A's Parent(s)) to determine whether Student A was denied a FAPE during the 2025-2026 school year in connection with the incident on December 12, 2025, and whether compensatory or other services are necessary to remedy any denial of a FAPE. If the Section 504 team determines that compensatory or other services are necessary:

1. The team will develop a written plan that will identify the type, frequency, and duration of services to be provided at no cost to Student A's Parent(s), the title and qualifications of the provider(s), and when the services will be provided;
2. Within ten (10) days of Student A's Section 504 meeting, the District will provide Student A's Parent(s) with a copy of any written plan for providing the student with compensatory or other services and a copy of their right to challenge the decision through due process; and
3. The District will provide all such services within the 2026-2027 school year.

- B. By **September 15, 2026**, the District will have the School's Section 504 Coordinator review Student A's Section 504 plan, including interventions and supports needed to provide a FAPE, with all School administrators and staff who work directly with Student A or who may regularly interact with Student A, including staff who supervise lunch and recess duty.

C. **REPORTING REQUIREMENTS:**

1. By **September 30, 2026**, the District will submit to OCR documentation to demonstrate its compliance with Item III.A, including a copy of the Section 504 meeting notes; the written plan for compensatory or other services or, if none, a written rationale for the team's determination; and a copy of any notice to Student A's Parent(s) regarding the determination of compensatory or other services. The District will also submit to OCR documentation to demonstrate its compliance with Item III.B, including a list of names and titles of staff who reviewed Student A's Section 504 plan with the Section 504 Coordinator.
2. Within thirty (30) days of providing any compensatory or other services to Student A pursuant to Item III.A, the District will document to OCR that it has

provided all compensatory or other services the team determined were necessary or explain why it was unable to provide the compensatory or other services (i.e., if the Parent(s) did not provide consent for such services).

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms and obligations of this Agreement. Upon the District's satisfaction of the commitments made under this Agreement, OCR will close this case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/

6/12/2026

Superintendent or Designee

Date