



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

THE WANAMAKER BUILDING, SUITE 515
100 PENN SQUARE EAST
PHILADELPHIA, PA 19107-3323

REGION III
DELAWARE
KENTUCKY
MARYLAND
PENNSYLVANIA
WEST VIRGINIA

May 22, 2017.

IN RESPONSE, PLEASE REFER TO: 03171122

Dr. Renee A. Foose
Superintendent
Howard County Public School System
10910 Route 108
Ellicott City, MD 21042

Dear Dr. Foose:

This is to notify you of the resolution of the complaint filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against the Howard County Public Schools (the District) alleging discrimination on the basis of disability. Specifically, the Complainant alleged that the District's Atholton High School's only accessible entrance is not operational.

OCR enforces:

- Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104 (Section 504). Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance. Section 504 also prohibits retaliation.
- Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131, and its implementing regulation, 28 C.F.R. Part 35 (Title II). Title II prohibits discrimination on the basis of disability by public entities. Title II also prohibits retaliation.

Because the District receives Federal financial assistance from the Department, and is a public entity, the District is subject to these laws.

Pursuant to OCR's complaint processing procedures, OCR will close a complaint allegation when OCR obtains credible information indicating that the allegation raised by the complaint has been resolved, and there are no systemic allegations. In such a case, OCR will attempt to ascertain the apparent resolution. When OCR determines that there are no current allegations appropriate for further resolution, the complaint will be closed.

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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The District informed OCR that the door in question had been repaired and submitted a video showing that the door is now operational. In addition, the Complainant also confirmed that the door is now operational. Accordingly, because OCR has obtained credible information indicating that the allegation raised by the complaint has been resolved, and there are no systemic allegations, OCR is closing this complaint as of the date of this letter.

This letter is not intended, nor should it be construed, to cover any other issues regarding the District's compliance with Section 504, Title II, and their implementing regulations that may exist and are not discussed herein. This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public.

Please be advised that the District may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the Complainant may file another complaint alleging such treatment.

Under the Freedom of Information Act it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions, you may contact Amy Niedzalkoski, Team Attorney, at (215) 656-8571 or by email at amy.niedzalkoski@ed.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Beth Gellman-Beer", with a stylized flourish at the end.

Beth Gellman-Beer
Team Leader