

~~(5) A LIST OF EFFORTS MADE BY THE SCHOOL SYSTEM TO ENCOURAGE THE PARTICIPATION OF STUDENTS WITH DISABILITIES IN PHYSICAL EDUCATION AND ATHLETIC PROGRAMS.~~

~~(D) THE DEPARTMENT SHALL DIRECT A COUNTY BOARD OF EDUCATION THAT HAS FAILED TO SUBMIT A REPORT REQUIRED UNDER THIS SECTION TO TAKE THOSE STEPS NECESSARY FOR THE SCHOOL SYSTEM TO COMPLY WITH THE REPORTING REQUIREMENTS OF THIS SECTION.~~

~~(E) (D)~~ ON OR BEFORE ~~DECEMBER 31~~ MAY 1 OF EACH YEAR, THE DEPARTMENT SHALL, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, SUBMIT TO THE GENERAL ASSEMBLY A REPORT OF ~~COUNTY SCHOOL SYSTEM~~ COMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE.

~~7-4B-07, 7-4B-06.~~

(A) THE DEPARTMENT SHALL ADOPT REGULATIONS AS NECESSARY TO IMPLEMENT THIS SUBTITLE.

(B) THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO COUNTY SCHOOL SYSTEMS BOARDS CONCERNING THE PROVISIONS OF THIS SUBTITLE.

~~(C) (1) THE RIGHTS, REMEDIES, AND PROHIBITIONS PROVIDED UNDER THIS SUBTITLE SHALL BE IN ADDITION TO AND CUMULATIVE OF ANY OTHER RIGHT, REMEDY, OR PROHIBITION PROVIDED UNDER COMMON LAW, FEDERAL LAW, ANY OTHER LAWS OF THIS STATE, A CONSENT DECREE, OR ANY OTHER SETTLEMENT AGREEMENT ENTERED INTO BY A LOCAL OR STATE GOVERNMENTAL AGENCY TO ADDRESS EQUITY FOR INDIVIDUALS WITH DISABILITIES IN PHYSICAL EDUCATION OR ATHLETIC PROGRAMS.~~

~~(2) THIS SUBTITLE MAY NOT BE CONSTRUED TO DENY, ABROGATE, OR IMPAIR ANY SUCH FEDERAL OR STATE COMMON LAW OR STATUTORY RIGHT, REMEDY, OR PROHIBITION.~~

~~(D) (C) (1) THE PROVISIONS OF THIS SUBTITLE MAY BE ENFORCED AGAINST THE STATE BOARD OR A COUNTY SCHOOL SYSTEM BOARD BY A CIVIL ACTION FOR ANY AVAILABLE RELIEF, INCLUDING INJUNCTIVE RELIEF OR DAMAGES, OR BOTH, WHICH SHALL BE INDEPENDENT OF ANY OTHER RIGHTS AND REMEDIES AND SHALL INCLUDE A RIGHT TO ATTORNEYS' FEES.~~

~~(2) A COURT MAY AWARD ATTORNEY'S FEES.~~