

May 27, 2015

XXXX XXXX
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Re: OCR Docket # 07151025

Dear XXXX:

On October 30, 2014, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint against the Lockwood R-1 School District (District), Lockwood, Missouri, alleging discrimination on the basis of disability. This letter is to confirm that the District has voluntarily submitted a Resolution Agreement (Agreement) to resolve this complaint.

The complainant alleged the District discriminated against his son on the basis of disability (visual impairment) by failing to implement his Section 504 plan during the 2014-15 school year.

OCR is responsible for enforcing:

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

As a recipient of FFA from the Department and a public entity, the District is subject to these laws. Additional information about OCR and the laws we enforce is available on our website at <http://www.ed.gov/ocr>.

OCR interviewed the Complainant on November 4, 2014, and interviewed the Complainant's wife on November 13, 2014. On December 3, 2014, OCR sent notification letters to the parties, including a data request to the District. On December 10, 2014, the District provided OCR with a response to OCR's data requests. OCR reviewed the data and, prior to conducting interviews with District employees or requesting additional information from the Complainant, the District expressed to OCR an interest in engaging in

resolution negotiations pursuant to section 302 of OCR's *Case Processing Manual*.¹ OCR has not completed its investigation of this complaint to date.

Prior to the completion of OCR's investigation, the District submitted a signed Agreement (copy enclosed) on May 26, 2015, that, when fully implemented, will address this complaint. Please consult the Agreement for further details. The Agreement requires specific data to be submitted to OCR demonstrating completion of the Agreement terms. If you submit the required data by email, please send it to Monitoring.OCRKansasCity@ed.gov. If you submit that data by mail, please send it to Karl Menninger.

OCR considers the allegation of this complaint resolved effective the date of this letter and will monitor the District's implementation of the Agreement. When OCR concludes the District has fully implemented the terms of the Agreement, OCR will close the complaint. If the District fails to carry out the Agreement, OCR may resume the investigation. 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. The complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

OCR is committed to prompt and effective service. If you have any questions about this letter, please contact XXXX XXXX, Equal Opportunity Specialist, (816) XXX XXXX (voice) or (877) 521-2172 (telecommunications device for the deaf), or by email at XXX.XXXX@ed.gov.

Sincerely,

Joshua Douglass
Chief Attorney

Enclosure

cc: Dr. Margaret Vandeven
Commissioner of Education

¹ OCR's *Case Processing Manual* may be accessed at <http://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.html>.