



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

500 WEST MADISON ST., SUITE 1475  
CHICAGO, IL 60661-4544

REGION V  
ILLINOIS  
INDIANA  
IOWA  
MINNESOTA  
NORTH DAKOTA  
WISCONSIN

September 14, 2018

Dr. Stephen Zrike  
Superintendent  
57 Suffolk Street  
Holyoke, MA 01040

Sent via electronic mail: XXXXX

Re: OCR Docket # 01-18-1255  
Holyoke Public School District  
XXXXX/XXXXX/Holyoke High

Dear Dr. Zrike:

The U.S. Department of Education (Department), Office for Civil Rights (OCR) has resolved the above-reference complaint against the Holyoke Public School District (District) alleging discrimination based on disability. Specifically, the complaint alleges the District discriminated against Student A, a student at Holyoke High School (School), on the basis of disability (XXXXX) when it failed to implement Student A's individualized educational program (IEP) during the 2017 – 18 school year.

OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation, 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, 28 C.F.R. Part 35. Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance from the Department. Title II prohibits discrimination on the basis of disability by certain public entities. As a recipient of Federal financial assistance and a public entity, the District is subject to these laws.

The District indicated that it was willing to take action to resolve the complaint allegation pursuant to Section 302 of OCR's *Case Processing Manual*<sup>1</sup>, and OCR determined that a voluntary resolution agreement was appropriate. On September 7, 2018, the District signed the enclosed Resolution Agreement (Agreement) to resolve the complaint allegation. OCR will monitor the implementation of the Agreement until the District has fulfilled the terms of the Agreement. When fully implemented, the Agreement will address the complaint allegation. Upon completion of the obligations under the agreement, OCR will close the case.

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<sup>1</sup> <https://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.pdf>

The 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, we 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 privacy. The Complainant may have a right to file a private suit in federal court, whether or not OCR finds a violation.

OCR would like to thank you and your staff, especially Ms. Leigh Mello and Mr. Matthew MacAvoy, Counsel for the District, for the courtesy and cooperation extended to OCR during the processing of this case. If you have any questions regarding this letter, please contact Daniel Kim at (312) 730-1482 or by e-mail at [daniel.kim@ed.gov](mailto:daniel.kim@ed.gov).

Sincerely,

Aleeza Strubel  
Supervisory Attorney

Enclosure

cc: Ms. Leigh Mello and Mr. Matthew MacAvoy (via email with enclosure)