



**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

November 14, 2018

Craig Cooke
Superintendent
Windsor Public Schools
601 Matianuck Ave
Windsor, CT 06095

Re: OCR #01-18-1257
Student A – XXXXXXXXXXXXXXXXXXXX

Dear Superintendent Cooke:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), has completed its complaint resolution efforts with regard to the above-referenced complaint filed against Windsor Public Schools (District) alleging discrimination based on disability.

Specifically the Complainant alleges the District discriminated against the Complainants' son (Student A) based on disability (ADHD) when, the District failed to implement Student A's Section 504 Plan 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. Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance (FFA). OCR is also responsible for enforcing 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. 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.

During its investigation, OCR reviewed information provided by the Complainant and the District. Prior to OCR making a final determination, the District expressed an interest in resolving the allegation. On November 14, 2018, the District signed the enclosed Resolution Agreement, which, when fully implemented, will address the allegation in the complaint. OCR will monitor the implementation of the Resolution Agreement.

This concludes OCR's investigation of the complaint and should not be interpreted to address the College's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. 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 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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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 individual 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 personal privacy.

You may have a right to file a private suit in federal court whether or not OCR finds a violation.

If you have any questions regarding this letter, please contact Lauren Skerrett, Esq. at (312) 730-1603 or by email at Lauren.Skerrett@ed.gov.

Sincerely,

Ann Cook-Graver
Supervisory Attorney

Enclosure

Cc: Leander Dolphin, Esq. By email only