



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

November 1, 2013

IN RESPONSE, PLEASE REFER TO: 03131133

Mr. Ronald Gene Livingood, Superintendent
Grant County Schools
820 Arnie Risen Blvd.
Williamstown, KY 41097

Dear Mr. Livingood:

This letter 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 Grant County School District (District). The Complainant, XXXXXXXX XXXXXXXX alleged that the District retaliated against her and discriminated against XXX XXXXXXXXX, XXXXXXXXXX XXXXXX (the Student), on the basis of race. Specifically, the Complainant alleged that the District:

1. discriminated against the Student on the basis of race when her teacher XXXXXX XXX XXXXXX XXX XXXXXXXX XX XXX XXX XXXXXXXXXX XXX XXXXXXXX XXXXXX XXXXXXXXXX XX XX XXX
2. XXXXXXXXXX XXX XXXXXXXX XX X XXXXXXXXXX XXXXXXXX XXXXXXXXXXXXXXXX XX XXX XXXXXXXXXXXX XXXX XXXXXXXXXXXX XX XXXX XXXXXXXXXXXXXXXXXX XX XXXXX XXX XXXXXXXX XXX XXXXXXX X XXXXXXX XX XXX XXXXXXXXXXXX;
3. retaliated against the Student when a teacher XXXXXXXXXXXX XXX XXXXXXXX XX XXXXX XX XXX XXXXXX XX XXX XX XXXX; and
4. retaliated against the Complainant by requiring her to XXXXXXXXXX XXXXXXXX XXX XXXXXXXXXXXX XXXXXXXXXX XXXXXXXX XX XXXXXXXXXX XXXXX XX XXXX XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX.

OCR enforces

- Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, and its implementing regulation, 34 C.F.R. Part 100, which prohibit discrimination on the bases of race, color or national origin by recipients of Federal financial assistance. Title VI also prohibits retaliation against an individual who exercises his or her rights under Title VI by filing a complaint or for participating in an investigation or proceeding hereunder.

As a recipient of Federal financial assistance from the Department, the District is subject to the provisions of Title VI and its implementing regulations.

Under OCR procedures, a complaint may be resolved before the conclusion of an investigation if a recipient asks to resolve the complaint by signing a Voluntary Resolution Agreement. The provisions of the agreement must be aligned with the complaint allegations and be consistent with applicable regulations. Such a request does not constitute an admission of liability on the part of a recipient, nor does it constitute a determination by OCR of any violation of our regulations.

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

Consistent with OCR's procedures, the District requested to resolve the complaint through a Voluntary Resolution Agreement (the Agreement), which was executed on October 22, 2013 and received in our offices on November 1, 2013. A copy of the signed Agreement is enclosed. As is our standard practice, OCR will monitor the District's implementation of the Agreement.

Accordingly, OCR is concluding its investigation of this allegation and closing this complaint as of the date of this letter.

This letter is a letter of findings issued by OCR to address an individual OCR case. Letters of findings contain fact-specific investigative findings and dispositions of individual cases. Letters of findings are not formal statements of OCR policy and they 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. This letter is not intended nor should it be construed to cover any other issues regarding the District's compliance with Title VI, which may exist and are not discussed herein. The Complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

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. 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.

Thank you for your cooperation in this matter. If you have any questions, please feel free to contact Sarah McCarthy, Team Attorney, at (215) 656-6416, or by email at sarah.mccarthy@ed.gov.

Sincerely,

/s/

Vicki Piel
Supervisory Attorney and Team Leader
Philadelphia Office

Enclosure

cc: Sue Cassidy, Esq. (via email only)