



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 27, 2013

IN RESPONSE, PLEASE REFER TO: 03-13-1142

Dr. Joseph Padasak
Superintendent
Chambersburg Area School District
435 Stanley Avenue
Chambersburg, PA 17201

Dear Dr. Padasak:

This is to notify you of the resolution of the complaint filed against the Chambersburg Area School District (the District) with the U.S. Department of Education (Department), Office for Civil Rights (OCR.) XX. XXXXXX XXXXX XXXXX (the Complainant) alleges that the District discriminated against her son, XXXXX XXXXX XXXXX, (the Student) by not implementing XXX XXXXXXXXXXXX XXXXXXXXXXXX of his Individualized Education Plan (IEP) during the 2012-2013 school year:

X---paragraph redacted---X

OCR enforces:

- 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.
- 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 Federal financial assistance from the Department and a public entity, the District is subject to Section 504, Title II and their implementing regulations.

In accordance with OCR's Case processing procedures, OCR will close a complaint when the same allegation has been filed by the complainant against the same recipient with another federal, state, or local civil rights enforcement agency and the resolution meets OCR regulatory standards; i.e., all allegations were investigated, appropriate legal standards were applied, and any remedies secured meet OCR's standards.

X---paragraph redacted---X

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.

Consistent with OCR's procedures, the District requested to resolve the remaining complaint allegations through a voluntary resolution agreement (the Agreement) which was executed on November 22, 2013. Accordingly, OCR is concluding its investigation of this complaint. A copy of the signed agreement is enclosed. As is our standard practice, OCR will monitor the District's implementation of the Agreement.

This letter is not intended, nor should it be construed, to cover any other issues regarding the District's compliance with Section 504 or Title II and their implementing regulations that may exist and are not discussed herein.

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, it 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.

If you have any questions, you may contact Jacques Toliver of our staff, at 215-656-8512 or by email at jacques.toliver@ed.gov.

Sincerely,

/s/

Joseph P. Mahoney
Program Manager