



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

January 28, 2014

IN RESPONSE, PLEASE REFER TO: 03131192

Mr. Alan W. Reed, Superintendent
Adair County Schools
1204 Greensburg Street
Columbia, KY 42728

Dear Mr. Reed:

This is to notify you of the resolution of the complaint filed against the Adair County School District (the District) with the U.S. Department of Education (Department), Office for Civil Rights (OCR). The Complainant alleges that the District (XXXXX) discriminated against XXXXX (the Student) on the basis of disability by failing to have: a) XXXXXX and b) XXXXX.

OCR is responsible for enforcing:

- Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance. Section 504 also prohibits retaliation.
- Title II of the Americans with Disabilities Act of 1990 (Title II), and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public entities such as elementary and secondary education systems. Title II also prohibits retaliation.

As a recipient of Federal financial and a public entity the District is subject to the requirements of Section 504 and Title II.

In accordance with OCR case processing 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 the applicable regulations. Such a request does not constitute an admission of liability on the part of the recipient.

Consistent with OCR's procedures, the District requested to resolve the complaint allegations through a voluntary agreement (the Agreement) which was executed on January 23, 2014. Accordingly, OCR is concluding the investigation of this complaint. A copy of the signed agreement is enclosed. As is standard OCR practice, the District's implementation of the

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Agreement will be monitored, and the District's continued compliance with Section 504 and Title II is contingent on the District's full implementation of the Agreement.

This letter is not intended, nor should be construed, to cover any other issues regarding the District's compliance with Section 504 and 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, 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.

OCR is committed to a high-quality resolution of every case. If you have questions or concerns, you may contact Ihor Stefan Bilynsky, Equal Opportunity Specialist, at 215-656-8521, or by email at Ihor.Bilynsky@ed.gov, or Jacques Toliver, Team Attorney, at 215-656-8512, or by e-mail at Jacques.Toliver@ed.gov.

Thank you for your cooperation with this matter.

Sincerely,

/s/

Melissa M. Corbin
Team Leader
Philadelphia Office

Enclosure