



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

**August 5, 2014**

**IN RESPONSE, PLEASE REFER TO: 03141086**

Mr. J. Mark Heckman  
Superintendent  
Dubois Area School District  
500 Liberty Blvd.  
DuBois, PA 15801

Dear Mr. Heckman:

This is to notify you of the resolution of the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR) against the DuBois Area School District (the District). The Complainant alleged that the District:

1. Fails to provide a sufficient quantity of accessible seats at sporting events held in the Dubois Area High School (the School) gymnasium;
2. Fails to ensure that the existing accessible seating at the School's gymnasium is available for use by individuals with disabilities;
3. Fails to provide appropriate signing for accessible parking spaces at the School;
4. Fails to ensure that the existing accessible parking at the School is available for use by individuals with disabilities; and
5. Fails to provide an appropriate quantity of appropriately signed parking spaces at the Elementary School.

OCR enforces:

- Section 504, 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, which prohibits discrimination on the basis of disability by recipients of Federal financial assistance.
- Title II of the Americans with Disabilities Act of 1990 (the ADA), 42 U.S.C. § 12131, and its implementing regulation, 28 C.F.R. Part 35, which 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 these laws.

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 Resolution Agreement. The provisions of the Resolution Agreement must be aligned with the complaint allegations and be consistent

with applicable regulations. Such a request does not constitute an admission of a violation on the part of the District, 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 complaint through a Resolution Agreement. On July 31, 2014, the District signed this Agreement. As is our standard practice, OCR will monitor the District's implementation of the Agreement, a copy of which is enclosed. Accordingly, OCR is concluding its investigation of these allegations and closing this complaint as of the date of this letter.

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 Institute 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.

If you have any questions or concerns about our determination, please call me at (215) 656-8535.

Sincerely,

/s/

Rhasheda S. Douglas  
Team Leader

Enclosure