



**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

February 23, 2015

Dr. Martha Bruckner  
Superintendent  
Council Bluffs Community School District  
Educational Service Center  
300 N. Broadway, Suite 1600  
Council Bluffs, IA 51503

Re: OCR Docket #05-14-1321

Dear Dr. Bruckner:

This correspondence serves to advise you of the disposition of the above referenced complaint filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against Council Bluffs Community School District (District) on August 28, 2014, alleging discrimination on the basis of disability. Specifically, the complaint alleged that since November 2013 the District discriminated against Student A on the basis of disability (XXXXXXX) by failing to evaluate Student A to determine whether she is a student with a disability in need of special education and related services.

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, as well as Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12132, and its implementing regulation, 28 C.F.R. Part 35. Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance from the Department, and Title II prohibits discrimination on the basis of disability by public entities. As a recipient of funding from the Department of Education and a public entity, the District is subject to these laws.

Prior to the conclusion of OCR's investigation, during discussions with OCR, the District agreed to resolve the complaint and signed an Agreement which, when fully implemented, will address the issues raised in this complaint. In accordance with Section 302 of OCR's *Complaint Processing Manual*, the provisions of the Agreement are aligned with the complaint allegation and the information obtained during OCR's investigation, and consistent with the applicable regulations. OCR will monitor the District's implementation of the Agreement, a copy of which is enclosed with this correspondence, and looks forward to receiving documentation from the District demonstrating compliance with the Agreement.

OCR has provided written notification to the Complainant that the District has entered into this Agreement, and we provided the Complainant a copy of the Agreement.

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If you have any questions or concerns about OCR's determination, you may contact either Ms. Leticia Magdaleno, Attorney, at (312) 730-1590 or [Leticia.magdaleno@ed.gov](mailto:Leticia.magdaleno@ed.gov).

Sincerely,

Karen E. Tamburro  
Supervisory Attorney

Enclosure