



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

1999 BRYAN ST., SUITE 1620
DALLAS, TX 75201-6810

REGION VI
ARKANSAS
LOUISIANA
MISSISSIPPI
TEXAS

October 30, 2018

Mr. H.D. Chambers, Superintendent
Alief Independent School District
P.O. Box 68
Alief, Texas 77411

Re: OCR Complaint No. 06-15-1566
Alief Independent School District

Dear Mr. Chambers:

This letter is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, resolved the above-referenced complaint filed against Alief Independent School District (AISD or District) in Alief, Texas. The complainant alleged that the District discriminates against individuals with disabilities.

OCR is responsible for determining whether entities that receive or benefit from Federal financial assistance from the Department, or an agency that has delegated investigative authority to the Department, are in compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulations at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability. OCR also enforces Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulations at 28 C.F.R. Part 35. Under Title II, OCR has jurisdiction over complaints alleging discrimination on the basis of disability that are filed against public entities. The District is a recipient of Federal financial assistance from the Department and is a public entity. Therefore, OCR has jurisdiction over this complaint under Section 504 and Title II.

Based on the complainant's allegations, OCR opened for investigation the following legal issue:

Whether persons with disabilities are denied the benefits of, excluded from participation in, or otherwise subjected to discrimination by the AISD because Sneed Elementary School Building is inaccessible to or unusable by persons with disabilities, in violation of Section 504 and Title II, at 34 C.F.R. §§ 104.21-104.23, and 28 C.F.R. §§ 35.149-35.151, respectively.

Prior to the conclusion of OCR's investigation, the AISD notified OCR that it was interested in resolving the complaint through a voluntary resolution agreement. Section 302 of OCR's *Case Processing Manual* provides that a complaint may be resolved at any time when, prior to the conclusion of an investigation, the recipient expresses an interest in resolving the allegation. The provisions of the resulting voluntary resolution agreement will be aligned with the complaint allegations or the information obtained during the investigation, and will be consistent with

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applicable regulations. OCR approved the District’s request to resolve this complaint prior to the conclusion of the investigation.

The District signed the enclosed Resolution Agreement (Agreement) on XXX, 2018. OCR has determined the provisions of the Agreement are aligned with the complaint allegations and appropriately resolves them. Further, OCR accepts the Agreement as an assurance the District will fulfill its obligations under Section 504 and Title II with respect to this complaint. The dates for implementation and specific actions are detailed in the enclosed Agreement.

This concludes OCR’s investigation of your complaint. However, OCR will monitor the District’s implementation of the Agreement. Please be advised that if the District fails to adhere to the action required under the Agreement, OCR will immediately resume its compliance efforts.

The complainant may file a private suit in federal court, whether or not OCR finds a violation.

This letter sets forth OCR’s determination in the individual OCR case identified above. This letter is not a formal statement of OCR policy and 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.

Please be advised 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.

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.

If you have any questions regarding this letter, please contact Cristina Doss, the attorney assigned to the matter, at (214) 661-9684 or cristina.doss@ed.gov. You may also contact me at (214) 661-9648 or at timothy.caum@ed.gov.

Sincerely,

/s/

Timothy D. Caum
Supervisory Attorney/ Team Leader
Office for Civil Rights
Dallas Office

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