



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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

REGION VI
ARKANSAS
LOUISIANA
MISSISSIPPI
TEXAS

February 12, 2018

Dr. Jason Fountain, Superintendent
Central Community School System
P.O. Box 78094
Baton Rouge, LA 70837

Ref: 06-17-1975

Dear Dr. Fountain:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, has resolved the above-referenced complaint filed against the Central Community School System (CCSS), which was received in our office on September 20, 2017. The complainant alleged that the CCSS discriminated against XXX XXX (the Student) on the basis of XXX disability and subjected the Student to retaliation. More specifically, the complainant alleged the following:

1. The CCSS has failed to timely evaluate the Student to determine whether, because of disability, the Student is in need of regular or special education and related aids and services, despite having notice that the Student has been diagnosed with XXX and XXX XXX;
2. The CCSS has failed to implement a consistent system for ensuring that the Student has access to XXX XXX at all times, including on school field trips and during emergency drills; and
3. The CCSS retaliated against the complainant and Student because the complainant requested that the CCSS provide a Section 504 accommodation plan for the Student and also raised concerns regarding the Student's access to XXX medication when, in or around July 2017, the CCSS revised its Student-Parent Handbook to provide that students taking medication will not be permitted to participate in school-sponsored field trips unless a parent/guardian is available to attend the field trip to administer the medication to the student.

This agency is responsible for determining whether entities that receive or benefit from Federal financial assistance from the U.S. Department of Education or an agency that has delegated investigative authority to this Department are in compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

support a finding of either compliance or noncompliance with regard to either issue opened for investigation, the CCSS expressed an interest in resolving the complaint.

Under Section 302 of OCR's Case Processing Manual, issues under investigation may be resolved at any time when, prior to the conclusion of the investigation, the recipient expresses an interest in resolving the allegations and issues and OCR determines that it is appropriate to resolve them with an agreement during the course of an investigation. OCR determined that it is appropriate to resolve the allegations and issues pursuant to OCR's case processing procedures referenced above. OCR negotiated with the CCSS and obtained the enclosed Resolution Agreement (Agreement), which was signed by the CCSS. OCR has determined that the Agreement, when fully implemented, will satisfactorily resolve the alleged compliance issues raised in the complaint. Accordingly, as of the date of this letter, OCR will cease all investigative actions regarding this complaint; however, OCR will actively monitor the CCSS's implementation of the Agreement. Please be advised that if the CCSS fails to adhere to the actions required under the Agreement, OCR will immediately resume its compliance efforts.

This concludes OCR's investigation of the complaint and should not be interpreted to address the CCSS's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. The CCSS has been notified of this action.

This letter sets forth OCR's determination in an individual OCR case. 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. The complainant may have the right to file a private suit in Federal court whether or not OCR finds a violation.

Please be advised that the CCSS 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 matter, you may contact Tamara Williams, the investigator assigned to your complaint, at (214) 661-9607 (Tamara.Williams@ed.gov), or you may contact me at (214) 661-9638 (Lori.Bringas@ed.gov).

Sincerely,

Lori Bringas
Supervisory Attorney / Team Leader
Office for Civil Rights
Dallas Office

Enclosure