



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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

REGION VI  
ARKANSAS  
LOUISIANA  
MISSISSIPPI  
TEXAS

June 27, 2018

Ref: 06181012

[XXXX to end of address line]

Dear [XXXX XXXX]:

This letter is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, has resolved the above-referenced complaint filed against the Leander Independent School District (District), in Leander, Texas. The complainant alleged that the District discriminated against [XXXX] and [XXXX XXXX] (Student) on the basis of national origin, and that it discriminated against the Student on the basis of disability. The complainant also alleged retaliation. Specifically, the complainant alleged:

[XXXX to end of allegations]

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 Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d *et seq.*, and its implementing regulations at 34 C.F.R. Part 100; and Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulations at 34 C.F.R. Part 104. Title VI prohibits discrimination on the basis of race, color, and national origin; Section 504 prohibits 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. §§ 12132 *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, including public elementary and secondary educational institutions. Title VI, Section 504, and Title II also prohibit retaliation. The District is a recipient of Federal financial assistance from the Department and is a public elementary and secondary educational institution. Therefore, OCR has jurisdiction to process this complaint to resolution pursuant to Section 504, Title II, and Title VI.

Based on the complaint allegations and OCR's jurisdictional authority, OCR opened the following issues for investigation:

1. Whether the District discriminated against the Student by [XXXX to end of clause], and thereby limited the ability of the Student to effectively participate in or benefit from the services, activities, or privileges provided by the District during the [XXXX] calendar year, in violation of Title VI and its implementing regulation, at 34 C.F.R. § 100.3;

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

2. Whether the District discriminated against the Student on the basis of disability by failing to provide regular or special education and related aids and services deemed necessary to meet the Student's individual educational needs and has thereby denied the Student a free appropriate public education (FAPE) during the [XXXX] calendar year, in violation of Section 504 and Title II and their implementing regulations, at 34 C.F.R. § 104.33 and 28 C.F.R. § 35.130, respectively;
3. Whether the District treated the complainant differently based on national origin, [XXXX to end of clause], and thereby interfered with or limited [XXXX] ability to participate in or benefit from the services, activities, or privileges provided by the District, in violation of Title VI and its implementing regulation, at 34 C.F.R. § 100.3; and
4. Whether the District retaliated against the complainant when, [XXXX to end of clause], in violation of Title VI, Section 504, and Title II and their implementing regulations; at 34 C.F.R. §§ 100.7(e) and 104.61, and 28 C.F.R. § 35.134, respectively.

During its investigation, OCR reviewed information provided by the District. Prior to the completion of OCR's investigation, the District informed OCR that it was interested in resolving the complaint allegations. Section 302 of OCR's *Case Processing Manual* (CPM) 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 allegations and OCR determines that it is appropriate to resolve them with an agreement. 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 June 25, 2018. OCR has determined that, when fully implemented, the Agreement will address all of the complaint allegations. Further, OCR accepts the Agreement as an assurance the District will fulfill its obligations under Section 504, Title II, and Title VI with respect to this complaint. The dates for implementation and specific actions are detailed in the enclosed Agreement. As of the date of this letter, OCR's investigation of this complaint is closed. OCR will monitor the District's implementation of the Agreement. Please be advised that if the District fails to adhere to the actions outlined in the Agreement, OCR will resume its compliance efforts.

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 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 individual may file a 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.

Thank you for your cooperation during the investigation and resolution of this complaint. If you have any questions regarding this letter, please contact General Attorney Cristin Hedman, the investigator assigned to the matter, at (214)-661-9647 or [cristin.hedman@ed.gov](mailto:cristin.hedman@ed.gov). You may also contact me at (214)-661-9638 or [lori.bringas@ed.gov](mailto:lori.bringas@ed.gov).

Sincerely,

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

Enclosure: Signed Resolution Agreement