



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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

REGION VI  
LOUISIANA  
MISSISSIPPI  
TEXAS

August 17, 2020

Via email only: [gerald.hudson@chisd.net](mailto:gerald.hudson@chisd.net)

Mr. Gerald Hudson  
Superintendent  
Cedar Hill Independent School District  
285 Uptown Bld., Building 300  
Cedar Hill, TX 75104

RE: OCR Complaint #06191592-Cedar Hill Independent School District

Dear Superintendent Hudson:

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 Cedar Hill Independent School District (CHISD), in Cedar Hill, TX. The Complainant alleged that CHISD discriminated against her on the basis of disability.

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 this Department, are in compliance Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794 (amended 1992), and its implementing regulations, at 34 C.F.R. Part 104, which prohibit discrimination based on disability. OCR also enforces Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12132, and its implementing regulations, at 28 C.F.R. Part 35, which prohibit public entities from discriminating on the basis of disability.

The District is a recipient of Federal financial assistance from the Department and is a public educational institution. Therefore, OCR has jurisdictional authority to process complaints of discrimination filed against the District under Section 504 and Title II.

OCR opened the following issue for investigation:

- Whether persons with disabilities are denied the benefits of, excluded from participation in, or otherwise subjected to discrimination by CHISD because of lack of adequate parking (e.g., failure to provide requisite number of accessible parking spaces); and due to no accessible entrance (e.g., no accessible route from parking facility to main entrance) at the CHHS, 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.

As part of the investigation, OCR reviewed information provided by Complainant and CHISD. OCR also conducted a preliminary interview with the Complainant, completed a site visit, and

discussed the allegation with counsel for CHISD. During its site visit, OCR inspected the parking lot and accessible space near the Main Entrance of the School, the area of concern articulated by the Complainant in her OCR complaint. OCR found an apparent lack of appropriate signage designating the parking spot as “accessible” and/or “van accessible.” OCR’s preliminary review of the evidence reflects a concern as to whether the accessible space near the Main Entrance of the School had appropriate signage and, therefore, may have been inaccessible to the Complainant and other disabled visitors to the School.

Prior to the conclusion of OCR’s investigation, on July 6, 2020, the District informed OCR that it was interested in resolving all complaint allegations. Although OCR had identified concerns regarding the issue under investigation, OCR had not yet reached a full compliance determination. Section 302 of OCR’s Case Processing Manual (CPM) provides that a complaint may be resolved at any time when, before the conclusion of an investigation, the recipient expresses an interest in resolving the complaint and OCR determines that such a resolution is appropriate. The provisions of the resolution agreement will be aligned with the complaint allegations or the information obtained during the investigation and will be consistent with applicable regulations. On July 6, 2020, OCR determined that a resolution under Section 302 of the CPM was appropriate.

On August 17, 2020, the District voluntarily signed and submitted to OCR a Resolution Agreement (Agreement) to resolve the complaint allegation. A copy of the Agreement is enclosed. OCR determined that the provisions of the Agreement are aligned with the complaint allegations and appropriately resolves them. Further, OCR accepts the Agreement as an assurance that the District will fulfill its obligations under Section 504 and Title II with respect to the complaint allegations. The dates for implementation and specific actions are detailed in the Agreement. OCR will monitor the District’s implementation of the Agreement.

Effective the date of this letter, OCR is closing the investigation of this complaint. This letter should not be interpreted to address the District’s compliance with any other regulatory provision or to address any issues other than those addressed in this letter.

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. An individual may have the right to file a private suit in Federal court whether or not OCR finds a violation.

Please be advised that 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, an individual 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 about this letter, please contact Mr. Craig Nydick, the attorney assigned to this complaint, by telephone at (214) 661-9622 or by email at [craig.nydick@ed.gov](mailto:craig.nydick@ed.gov). You may also reach me at (214)-661-9608 or via email at [paul.coxe@ed.gov](mailto:paul.coxe@ed.gov).

Sincerely,

Paul Coxe  
Supervisory General Attorney/Team Leader  
Office for Civil Rights  
Dallas Office

cc: X---Name Redacted---X (X---Email Redacted---X), Outside Counsel