



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

Renaissance Tower
1201 Elm Street, Suite 1000
Dallas, TX 75270

REGION VI
LOUISIANA
MISSISSIPPI
TEXAS

September 14, 2023

[redacted content]

Sent via email only to: [redacted content]

Re: OCR Complaint Ref. No. 06-23-1572
Ouachita Parish Schools

Dear [redacted content]:

The U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office, has resolved the above-referenced complaint filed against [redacted content], the Ouachita Parish Schools (the District), which OCR received on March 13, 2023. The complainant alleged that, from [redacted content], the District discriminated against [redacted content] child (the Student), who attended [redacted content] (the School) within the District, on the basis of the Student's disabilities ([redacted content]). The complainant also alleged that the District retaliated against the complainant. Specially, the complainant alleged that, [redacted content], the District failed to properly and timely evaluate the Student for accommodations (allegation 1). Second, the complainant asserted that, [redacted content], the District failed to provide the Student with support and/or services needed due to [redacted content] disability to meet [redacted content] individual educational needs (i.e., [redacted content]) (allegation 2). Third, the complainant alleged that, [redacted content], the District disciplined the Student for actions related to [redacted content] disability and/or resulting from the School failing to evaluate the Student for accommodations (i.e., [redacted content]) (allegation 3). Finally, the complainant asserted that, from [redacted content], the District retaliated against the complainant in response to [redacted content] voicing concerns to the School about the Student's evaluation, placement, and discipline record (i.e., [redacted content]) (allegation 4).

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), as amended, 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 is also responsible for enforcing

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

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, which prohibit discrimination on the basis of disability by certain public entities, including public elementary and secondary educational institutions. Both 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. Accordingly, OCR has jurisdiction to process this complaint to resolution pursuant to Section 504 and Title II.

OCR initiated an investigation of this complaint pursuant to OCR’s Rapid Resolution Process (RRP) at Section 203 of OCR’s *Case Processing Manual*¹ (CPM). RRP is an expedited case processing approach that can be used to resolve cases in any of OCR’s statutory areas.

During the processing of this complaint, OCR spoke with the complainant and the District. OCR also reviewed documentation provided by the complainant and the District. The District conveyed to OCR its understanding that the complainant had concerns as identified in the complaint allegations and expressed interest in working with the complainant to resolve the matter. On July 27, 2023, following [redacted content], the District informed OCR that it wanted to resolve the complaint.

Section 203 of the CPM states that, “*where a recipient has indicated that it is willing to take action in the future to resolve the allegation(s), ... upon the recipient’s request and OCR’s agreement, the allegation(s) may be resolved pursuant to Section 302.*” Based on the foregoing, OCR has determined that it is appropriate to resolve this complaint by obtaining a resolution agreement, the implementation of which OCR will monitor.

On September 12, 2023, the District submitted the enclosed signed Resolution Agreement (Agreement) to OCR. When fully implemented, the Agreement will resolve the allegations in the complaint.

In light of the commitments the District has made in the Agreement, OCR finds that the complaint is resolved, and OCR is closing its investigation as of the date of this letter. OCR will monitor the District’s implementation of the Agreement to ensure that the commitments made are implemented timely and effectively. OCR may request additional information as necessary to determine whether the District has fulfilled the terms of the Agreement and is in compliance with Section 504 and Title II with regard to the complaint allegations.

This concludes OCR’s investigation of this complaint. However, if the District fails to implement the Agreement, OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

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

¹ A copy of OCR’s CPM may be found [here](#).

formal policy statements are approved by a duly authorized OCR official and made available to the public. The complainant may have a 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 another complaint alleging such treatment.

Under the Freedom of Information Act, 5 U.S.C. § 552, 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 or the Agreement, please contact Briana August, the attorney assigned to the complaint, at (202) 987-1216, or at Briana.August@ed.gov. You may also contact me, at (214) 661-9647, or at Cristin.Hedman@ed.gov.

Sincerely,

Cristin Hedman Sparks
Supervisory General Attorney/Team Leader
Office for Civil Rights
Dallas Office

Enclosure: Voluntary Resolution Agreement