



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS -- REGION VII

January 24, 2014

XXXXX XXXXX
XXXXX, XXXXX & XXXXX, L.C.
XXX XXXXX XXXXX, XXXXX XXXX
XXXXX, XXXXX XXXXX

Re: OCR Docket # 07131196

Dear XXXXX XXXXX:

On July 11, 2013, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint against your client, the St. Louis City School District (District), St. Louis, Missouri, alleging discrimination on the basis of disability. This letter is to confirm the District has voluntarily submitted a Resolution Agreement (Agreement) to resolve this complaint.

The complainant alleged that the District discriminated against her daughter on the basis of her disabilities (XXXXX XXXXX XXXXX, XXXXX XXXXX XXXXX, XXXXX XXXXX XXXXX XXXXX) by:

1. allowing students and staff to verbally harass her; and
2. failing to reevaluate her after the complainant informed the District of her daughter's disabilities.

OCR is responsible for enforcing:

- Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 United States Code (U.S.C.) § 794, and its implementing regulation, 34 Code of Federal Regulations (C.F.R.) Part 104. Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance.
- Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, and its implementing regulation, 28 C.F.R. Part 35. Title II prohibits discrimination on the basis of disability by public entities.

As a recipient of Federal financial assistance from the Department and a public entity, the District is subject to these laws. Additional information about OCR and the laws we enforce is available on our website at <http://www.ed.gov/ocr>.

ONE PETTICOAT LANE, 1010 WALNUT STREET, SUITE 320, KANSAS CITY, MO 64106
www.ed.gov

Prior to the completion of OCR's investigation, the District submitted a signed Agreement (copy enclosed) on January 23, 2014, that, when fully implemented, will address the allegations of this complaint. The Agreement requires the District to: evaluate the complainant's daughter for eligibility to receive special education or related services and determine whether compensatory education is appropriate; identify an individual to serve as the complainant's daughter's primary contact in the event she needs to report harassing conduct by teachers and peers; and, train District employees regarding Section 504 and Title II compliance and the appropriate response to reports of harassment. Please consult the Agreement for further details.

OCR considers the allegations of this complaint resolved effective the date of this letter and will monitor the District's implementation of the Agreement. When OCR concludes the District has fully implemented the terms of the Agreement, OCR will close the complaint. If the District fails to carry out the Agreement, OCR may resume the investigation.

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. You may have the right to file a private suit in federal court whether or not OCR finds a violation.

OCR is committed to prompt and effective service. If you have any questions, please contact XXXXX XXXXX, Equal Opportunity Specialist, (816) 268-XXXX (voice) or (877) 521-2172 (telecommunications device for the deaf), or by email at XXXXX.XXXXX@ed.gov.

Sincerely,

/s/ Joshua Douglass

Joshua Douglass
Supervisory Attorney

Enclosure