



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS -- REGION VII

March 10, 2014

XXXXXX XXXXXXX, Attorney  
XXXXXX XXXXXXX XXXXX, LLC  
XXX XXXXXXXXXX XXXXXXXXXX XXXXX  
XX XXXXX, XXXXXXXXXX XXXXX

Re: OCR Docket # 07131218

Dear Mr. XXXXXXX:

On August 26, 2013, the U.S. Department of Education, Office for Civil Rights (OCR), received a complaint alleging discrimination on the basis of disability by your client, the Oran R-III School District (District), Oran, Missouri. This letter is to confirm the District has voluntarily submitted a Resolution Agreement (Agreement) to resolve this complaint.

Specifically, the complainant alleged the District:

1. denied her daughter, a student with a disability, a free appropriate public education (FAPE) by failing to evaluate her and provide her regular or special education and related aids and services designed to meet her individual educational needs in a timely manner;
2. failed to provide the complainant notice of the District's procedural safeguards, including her right to a due process hearing to address disputes regarding the identification and evaluation of her daughter under Section 504;
3. failed to designate a District employee to coordinate its efforts to comply with Section 504;
4. failed to adopt grievance procedures that incorporate appropriate due process standards and provides for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504; and,

ONE PETTICOAT LANE, 1010 WALNUT STREET, SUITE 320, KANSAS CITY, MO 64106  
[www.ed.gov](http://www.ed.gov)

5. failed to develop and disseminate a notice of nondiscrimination.

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 (FFA).
- Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, and its implementing regulation at 28 C.F.R. Part 35. Title II prohibits discrimination on the basis of disability by public entities.

As a recipient of FFA from the Department and a public entity, the District is subject to Section 504 and Title II. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

Prior to the completion of OCR's investigation, the District submitted a signed Agreement (copy enclosed) on March 10, 2014 that, when fully implemented, will address the allegations of this complaint. 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 resolution letter and Agreement are intended to address only those issues that are included in the Agreement or discussed in the resolution letter. They are not formal statements 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 Agreement and this letter are not intended and should not be construed to address the District's compliance with the regulations implementing Section 504, Title II, or any other statutes enforced by OCR that are not specifically addressed herein. The complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

Page 3 – XXXXX XXXXXX, Attorney – 07131218

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

Sincerely,

/s/ Kelli Douglas

Kelli Douglas  
Supervisory Attorney

Enclosure

cc: Dr. Chris Nicastro  
Commissioner of Education