



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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REGION VII
KANSAS
MISSOURI
NEBRASKA
OKLAHOMA
SOUTH DAKOTA

May 17, 2018

XXXXX XXXXX, XXXXX
XXXXX, XXXXX
XXXXX XXXXX XXXXX, XXXXX XXXXX
XXXXX, XXXXX XXXXX

Re: Ash Grove R-IV School District
OCR Case Number: 07-15-1010

Dear XXXXX. XXXXX:

On October 10, 2014, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint against the Ash Grove R-IV School District (District), Ash Grove, Missouri, alleging discrimination on the bases of race and sex. This letter is to confirm the District has voluntarily submitted a Resolution Agreement (Agreement) to resolve this complaint.

OCR investigated whether the District discriminated against the Student on the basis of race by imposing harsher discipline on him than imposed on a white student engaged in the same incident (allegation one) and sex by suspending him for ten days and treating him differently than other students during an investigation (allegation two).

OCR is responsible for enforcing:

- Title VI of the Civil Rights Act of 1964 (Title VI), 42 United States Code (U.S.C.) § 2000d, and its implementing regulation, 34 Code of Federal Regulations (C.F.R.) Part 100. Title VI prohibits discrimination on the basis of race, color, and national origin by recipients of Federal financial assistance (FFA).
- Title IX of the Education Amendments of 1972 (Title IX), 20 United States Code (U.S.C.) § 1681, and its implementing regulation, 34 Code of Federal Regulations (C.F.R.) Part 106. Title IX prohibits discrimination on the basis of sex in any education program or activity operated by a recipient of FFA.

As a recipient of FFA from the Department, the District is subject to Title VI and Title IX. To protect individuals' privacy, the names of employees, students, and other witnesses were not used in the letter.

On December 1, 2014, OCR sent notification letters to the parties, including a data request to the District. On December 16, 2014, the District provided OCR with a response to OCR's data requests. OCR obtained the following preliminary information from the Complainant, the Superintendent, the Principal, DSS Supervisor, DSS Investigator, a Bus Driver, a Teacher and the District.

Prior to the completion of OCR’s investigation, the District expressed an interest in engaging in a voluntary resolution agreement pursuant to Section 302 of OCR’s *Case Processing Manual* (CPM), which states: *[a]llegations and issues under investigation may be resolved at any time when, prior to the conclusion of the investigation, the recipient expresses an interest in resolving the allegations and issues and OCR determines that it is appropriate to resolve them with an agreement during the course of an investigation.*¹

On February 23, 2018, the District signed an Agreement (copy enclosed) that, when fully implemented, will resolve the allegations and issues in this investigation. To resolve allegation one, the District agreed to provide training on the requirements of Title VI and Title IX to all District administrators responsible for the administration of exclusionary discipline. To resolve allegation two, the District agreed to provide Title IX training to all of staff responsible for processing complaints alleging sexual harassment. Additionally, to resolve any adverse impact on the Student arising from allegations one and two, the District agreed to expunge the Student’s records to remove any reference to the events and discipline giving rise to this complaint. Finally, as part of ensuring compliance with the regulations enforced by OCR, the District agreed to revise its combined notice of nondiscrimination as well as its discrimination grievance procedure. Please review the Agreement for further details.

OCR considers 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. The Complainant 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, Attorney, at (816) 268- XXXXX (voice) or (877) 521-2172 (telecommunications device for the deaf), or by email at XXXXX.XXXXX @ed.gov.

Sincerely,

Anne Bradley
Acting Supervisory Attorney

¹ OCR’s *Case Processing Manual* may be accessed at <https://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.pdf>

Enclosure