

August 5, 2015

XXXXX XXXXX
XXXXX, XXXX & XXXXXXXXX, X.X.
XXX XXXXXXXXXXXX XXXXXX, XXXXX XXXX
XX. XXXXX, XXXXXXXXXXXX XXXXX

Re: OCR Docket # 07151093

Dear Mr. XXXXX:

On February 6, 2015, 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 the District discriminated against her client's son (Student) on the basis of disability (osteogenesis imperfecta also known as brittle bone disease) by failing to implement his Section 504 plan by failing to provide him a one to one paraprofessional thereby denying him a free, appropriate public education.

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>.

Prior to the completion of OCR's investigation, the District submitted a signed Agreement (copy enclosed) on August 5, 2015, that, when fully implemented, will address the allegation of this complaint. Please consult the Agreement for further details.

OCR considers the allegation 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 XXXXXX XXXXX Equal Opportunity Specialist, (816) 268-XXXX (voice) or (877) 521-2172 (telecommunications device for the deaf), or by email at XXXXXX.XXXXX@ed.gov.

Sincerely,

/s/ Joshua Douglass
Joshua Douglass
Chief Attorney

Enclosure