

March 29, 2016

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Re: Docket # 07161003

Dear XXXXXX XXXXXX:

On October 1, 2015, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint alleging discrimination on the basis of disability by the Odessa R-VII School District (District), Odessa, Missouri. The District has voluntarily submitted a Resolution Agreement (Agreement) to resolve the above-referenced complaint.

The complainant alleges that the District discriminated against her son (Student) on the basis of his disability (XXXXXX, XXXXXX, and XXXXXX) when the District failed to implement the Student's Section 504 plan by not providing the Student with a social skills class.

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); and
- 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 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>.

On November 25, 2015, OCR issued a notification letter to the District, including a data request. OCR interviewed the complainant about her complaint on November 2, 2015. On December 16, 2015, OCR spoke with you, and you stated that your client was interested in entering into an agreement to resolve the complaint.

On March 29, 2016, prior to the completion of OCR's investigation, the District submitted a signed Agreement (copy enclosed) 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 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 duty 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.

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.

Sincerely,

/S/ Earlene Gordon

J. Earlene Gordon
Supervisory Attorney

Enclosure

cc: Dr. Margaret Vandeven
Commissioner of Education