



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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REGION VII  
KANSAS  
MISSOURI  
NEBRASKA  
OKLAHOMA  
SOUTH DAKOTA

August 22, 2016

XXXX XXXXXXXX  
XXXXXXXXXXXX, XXXX X XXXXXXXX  
XXX X. XXXX, XXXXX XXX  
XXXXXX, XX XXXXX

Re: Docket # 07161049

Dear XXX XXXXXXXX:

On November 17, 2015, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint against the Stigler Public Schools (District), Stigler, Oklahoma, 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.

Specifically, the Complainant alleged the District denied the Student a Free Appropriate Public Education by:

- a. failing to timely reevaluate her son for his Individualized Education Program (IEP); and
- b. failing to provide for adequate transition services in her son's IEP.

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, 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>.

For the remainder of this letter the Complainant’s son will be referred to as the Student. To protect individuals’ privacy, the names of employees and other parties also were not used in the letter.

On January 21, 2016, OCR sent notification letters to the Complainant and the District, including a data request to the District. On February 10, 2016, and February 22, 2016, the District provided OCR responses to OCR’s data request. On March 31, 2016, OCR interviewed the District’s XXXX XXXXXXX XXXXXXXXXX, a XXXXXXX XXXXXXXXXX XXXXXXX, the XXXXXXXX XX XXXXXXX XXXXXXXXXX, and the XXXXXXX XXX XXXXXXXXXX XXXXXXX.

The information the Complainant and the District provided established that the Student is XX years old and was identified as a student with a disability in elementary school. He received special education services pursuant to an IEP; however, the District did not reevaluate the Student after his XXXXXXX grade year. A District representative told OCR that he should have been evaluated no later than his XXXXXXX year in high school. The Student graduated from the District in XXX of XXXX. Although the Student expressed an interest in learning more about computers, the District did not provide him with transition planning while he was a student in the district in response to his stated interest in receiving computer training.

On April 7, 2016, the District expressed to OCR an interest in engaging in resolution negotiations pursuant to Section 302 of OCR’s *Case Processing Manual*.<sup>1</sup> Before OCR completed its investigation, the District submitted a signed Agreement on August 18, 2016 that, when fully implemented, will address the allegations of this complaint. The Agreement requires the District to provide training on Section 504 and Title II processes and policies to District officials and staff, including but not limited to, administrators, teachers, staff, counselors, paraprofessionals employed by the District at the time the training is conducted, and the designated Section 504/Title II compliance coordinator and investigator(s).

Under the Agreement, the District will identify and secure computer training for the Student involving the XXXXXXX XXXXXXX, which will provide computer training classes to the Student designed to assist him in transitioning into the workforce. This class or these classes shall be structured in such a way as to provide the Student compensatory and/or remedial services. 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

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<sup>1</sup> The *Case Processing Manual* is available on OCR’s website at <http://www.ed.gov/about/offices/list/ocr/docs/ocrcpm.html>.

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 XXX XXXXXXXX, Attorney, at (816) 268-XXXX (voice) or (877) 521-2172 (telecommunications device for the deaf), or by email at XXXXX.XXXXXXX@ed.gov.

Sincerely,

XXXXX XXXXX  
Supervisory Attorney