



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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KANSAS CITY, MO 64106

REGION VII  
KANSAS  
MISSOURI  
NEBRASKA  
OKLAHOMA  
SOUTH DAKOTA

November 18, 2016

XXXX XXXXX, Attorney  
XXXXXXXXXXXXXXXXXX XX XXXXXX XXXXXX  
XXXX XXXXXXXXXXXX XXXX  
Topeka, Kansas 66604-4024

Re: Docket # 07161213

Dear Mr. XXXXX:

On May 25, 2016, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received this complaint against the Holton Unified Schools District 336 (District), Holton, Kansas, alleging discrimination on the basis of race. This letter is to confirm the District has voluntarily submitted a Resolution Agreement (Agreement) to resolve this complaint.

Specifically, the Complainant alleges the District discriminated against his foster son (Student) on the basis of race (African American) by failing to adequately respond to the hostile environment created when his school bus driver addressed him by his skin color on two separate occasions.

OCR is responsible for enforcing Title VI of the Civil Rights Act of 1964 (Title VI), 43 U.S.C. § 2000d, and its implementing regulation, 34 C.F.R. Part 100. Title VI prohibits discrimination on the basis of race, color, or national origin by recipients of Federal financial assistance (FFA).

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

On August 12, 2016, OCR sent a notification letter to the District informing it that OCR was opening this complaint for investigation. The notification letter included a data request. By letter dated August 29, 2016, the District provided OCR with a response to OCR’s data request. On September 15, 2016, OCR interviewed the XXXXXXXXXXX of Holton High School and the XXXXXXXXXXX XXXXXXXXXXX, who is also the XXXXXXXXXXXXXXXXXXX XXXXXXXX for the District. During the interviews, on September 15, 2016, the District expressed an interest in resolving this complaint with a resolution agreement pursuant to Section 302 of OCR’s *Case Processing Manual*.<sup>1</sup>

Prior to the completion of OCR’s investigation, the District submitted a signed Agreement (copy

<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 Department of Education’s mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

enclosed) on (November 18, 2016) that, when fully implemented, will address the allegation of this complaint and any concerns raised during the course of the investigation. 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 its 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 XXXXXX XXXXX, Equal Opportunity Specialist, at (816) XXX-XXXX (voice) or (877) 521-2172 (telecommunications device for the deaf), or by email at XXXXXX.XXXXXX.@ed.gov. You may also contact XXXXXXXXX XXXXX, Attorney, at (816) XXX-XXXX or by email at XXXXXXXXX.XXXXXX@ed.gov.

Sincerely,

/s/J. Earlene Gordon  
Supervisory Attorney

Enclosure

cc: Randy Watson  
Kansas Commissioner of Education