



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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REGION VII
KANSAS
MISSOURI
NEBRASKA
OKLAHOMA
SOUTH DAKOTA

December 12, 2018

Sent via email only

XXXXX XXXXX, Esq.
XXXXX XXXXX
XXXXX XXXXX
XXXXX, XXXXX XXXXX
XXXXX@ XXXXX.com

Re: Francis Howell R-III School District
OCR Case Number 07-18-1288

Dear Ms. XXXXX:

On August 8, 2018, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint against your client, the Francis Howell R-III School District (District), St. Charles, 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.

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.

Prior to opening the complaint for investigation, OCR identified the complaint as appropriate for OCR's Rapid Resolution Process (RRP). On November 28, 2018, the District indicated an interest in engaging in RRP.

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

On December 12, 2018, the District signed an Agreement (copy enclosed) that, when fully implemented, will resolve the allegations of the complaint. To resolve the allegations, the District agreed conduct training in the school the Student attended during the 2017-2018 school year regarding the application of Section 504 to students with mental health and other hidden disabilities. The Agreement does not include an individual remedy, as the Student is no longer a student in the District. 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. 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 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,

Anne Bradley
Acting Supervisory Attorney

Enclosure