



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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March 27, 2014

Dr. Elizabeth Celia-Fagen, Superintendent
Douglas County School District
620 Wilcox Street
Castle Rock, Colorado 80104

Re: Douglas County School District
Case Number: 08-14-1011

Dear Superintendent Celia-Fagen:

This letter advises you of the resolution of the complaint filed with our office alleging that the Douglas County School District (District) discriminates on the basis of disability. Specifically, the Complainant alleged the District discriminates against adults with disabilities by not providing accessible restrooms during sporting events held in the gymnasium of an elementary school¹ in the District.

We began investigating the complaint pursuant to Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability in programs and activities that receive Federal financial assistance from the U.S. Department of Education, and Title II of the Americans with Disabilities Act of 1990 and its implementing regulation at 28 C.F.R. Part 35, which prohibit 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 and regulations.

During our investigation we conducted two site visits at the identified school. We found the restrooms to be in compliance in most respects but sought further information relating to coat hook heights in toilet compartments as well as accessibility of a toilet compartment in the boy's restroom based on the location of its entry door. Before we had gathered the remaining data, the District indicated its desire to voluntarily enter into an agreement to resolve the allegations pursuant to Section 302 of the *Case Processing Manual*. We reviewed this request and determined that it justified entering into an agreement without completing a full investigation.

On March 26, 2014, we received the signed Resolution Agreement, which is enclosed. When the Agreement is fully implemented, the allegations will be resolved consistent with the requirements of Section 504 and Title II, and their implementing regulations. OCR will monitor implementation of the Agreement through periodic reports demonstrating the terms of the Agreement have been fulfilled. We will provide written notice of any deficiencies regarding the implementation of the terms of the Agreement and will promptly require actions to address such deficiencies. If the District fails to implement the Agreement, we will take appropriate action, as described in the Agreement.

¹ Fox Creek Elementary

