



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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REGION VIII
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NEW MEXICO
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March 30, 2016

Frank Davidson, Superintendent
Casa Grande Elementary School District
220 West Kortsen Road
Casa Grande, Arizona 85122

Re: **Casa Grande Elementary School District**
OCR Case Number: 08-17-1165

Dear Dr. Davidson:

We write to inform you of the resolution of the above-referenced complaint, filed on January 30, 2017, against Casa Grande Elementary School District (“the District”), alleging discrimination on the basis of disability. Specifically, the Complainant alleged that the District: (a) attempted to deny her son (“the Student”) the opportunity to go on a field trip due to his medical issues; and (b) has a policy and practice of requiring students with medical issues to be accompanied by a parent or guardian on field trips.

The Office for Civil Rights (OCR) of the U.S. Department of Education (“the Department”) is responsible for enforcing: Section 504 of the Rehabilitation Act of 1973, and its implementing regulation at 34 Code of Federal Regulations (C.F.R.) Part 104, which prohibit discrimination on the basis of disability in programs and activities that receive Federal financial assistance from the Department; 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.

OCR opened an investigation of the allegations and sent the District a data request on February 9, 2017. Shortly thereafter (on February 16, 2017), and before the due date for the data response, the District expressed an interest in taking action to resolve the Complainant’s allegations. Additionally, OCR learned from the District and Complainant that the District allowed the Student to participate in the field trip and provided accommodations during the field trip. We determined that, pursuant to Sections 207 and 302 of our *Case Processing Manual*, it was appropriate to enter into an agreement without opening a full investigation of the allegations.

We then drafted a Resolution Agreement (“the Agreement”) and sent it to the District. On March 22, 2016, we received a signed Agreement from the District. Enclosed is a copy of the signed Agreement.

When the Agreement is fully implemented, the allegations will be resolved consistent with the requirements of Section 504, Title II, and their implementing regulations. OCR will monitor

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implementation of the Agreement through periodic reports from the District demonstrating the terms of the Agreement have been fulfilled. We will promptly provide written notice of any deficiencies with respect to 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, which may include enforcement actions.

This concludes OCR's evaluation of the complaint and should not be interpreted to address the District's compliance with any law or regulatory provision, or to address any issues other than those addressed in this letter. We are closing this complaint effective the date of this letter.

Please note that a complainant may have the right to file a private suit in federal court whether or not OCR finds a violation. Please be advised that the District may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the individual may file another complaint alleging such treatment.

This letter sets forth OCR's determination in an individual 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.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, we will seek to protect, to the extent provided by law, personal information, which, if released, could constitute an unwarranted invasion of privacy.

If you have any questions or concerns, you may contact Jason Langberg, the attorney assigned to this complaint, at (303) XXX-XXXX or XXXX@ed.gov. You may also contact me at (303) XXX-XXXX.

Sincerely,

/s/

Stephen Chen
Program Manager

Attachment: Resolution Agreement

cc: Shelby Exposito, Gust Rosenfeld P.L.C., Attorney for the District