



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

1244 SPEER BLVD, SUITE 310  
DENVER, CO 80204-3582

REGION VIII  
ARIZONA  
COLORADO  
NEW MEXICO  
UTAH  
WYOMING

May 29, 2018

Mr. Reid Newey, Superintendent  
Davis School District  
P.O. Box 588  
Farmington, UT 84025

*Sent via email to rnewey@dsdmail.net*

Re: Davis School District  
OCR Case Number: 08-18-1162

Dear Mr. Newey:

We write to advise you of the resolution of a complaint that was filed with our office against Davis School District (the District) alleging discrimination on the basis of disability.

Specifically, the Complainant alleged that the District subjected her son to a hostile environment based on disability and failed to adequately respond to her reports of harassment of her son by a bus driver and bus aide.

The Office for Civil Rights (OCR) of the U.S. Department of Education (Department) is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 Code of Federal Regulation 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 the course of our investigation, the District indicated its desire to voluntarily enter into an agreement to resolve the complaint allegations pursuant to Section 302 of our *Case Processing Manual*. On May 29, 2018, prior to OCR completing its investigation or making any findings of fact, the District signed an Agreement which, when fully implemented, will address the issues raised in the complaint.

In accordance with Section 302 of OCR's *Case Processing Manual* (CPM), the provisions of the Agreement signed by the District are aligned with the complaint allegations and the information obtained during OCR's processing of this case, and consistent with the applicable regulations. Therefore, OCR is closing this complaint investigation effective the date of this letter. OCR, however, will actively monitor the District's implementation of the Agreement until the District fulfills the terms of the agreement and is in compliance with the statutes and regulations at issue.

in this case. If the District fails to implement the Agreement as specified, OCR may initiate administrative or judicial proceedings as described in the Agreement or resume its investigation of the initial allegations. A copy of the Agreement is enclosed.

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 Complainant may file another complaint alleging such treatment. In addition, the Complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, we will protect personal information to the extent provided by law.

If you have any questions, you may contact XXX XXX, the attorney assigned to this case, at (303) 844-XXXX or XXX@ed.gov. You also may contact me at (303) 844-XXXX.

Sincerely,

/s/

Sandra J. Roesti  
Supervisory Attorney

Enclosure: Signed Resolution Agreement

cc: Mr. XXX XXX (via email)  
Sydnee Dickinson, State Superintendent of Public Instruction (via email)