



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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November 28, 2018

Dr. James Hammack, Superintendent  
Morgan County School District Re-3  
715 W. Platte Avenue  
Fort Morgan, Co 80701

*Sent by email only to:* [james.hammack@morgan.k12.co.us](mailto:james.hammack@morgan.k12.co.us)

Re: Morgan County School District Re-3  
OCR Case Number: 08-18-1461

Dear Superintendent Hammack:

This is to notify you of the disposition of the June 1, 2018, complaint alleging that the Morgan County School District Re-3 (District) discriminated against students on the basis of their national origin.

Specifically, OCR opened the complaint allegation to assess whether the District discriminates against national origin minority students on the basis of limited English proficiency (English Learners, or EL students) by failing to provide them with the services necessary to participate meaningfully in the District's educational program, and whether the District discriminates against limited English proficient parents/guardians by failing to adequately notify them of school-related information and to ensure that they have comparable access to information that is provided to parents/guardians in English.

OCR is responsible for enforcing Title VI of the Civil Rights Act of 1964 (Title VI), 29 U.S.C. §§ 2000d-d7, and its implementing regulation, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, and national origin by recipients of Federal financial assistance. As a recipient of Federal financial assistance from the Department, the District is subject to these laws and regulations.

We began investigating the complaint pursuant to Title VI. The District provided its data response on August 27, 2018. However, on November 16, 2018, prior to an OCR site visit, the District indicated its desire to voluntarily enter into an agreement to resolve the allegations pursuant to Section 302 of OCR's *Case Processing Manual*. We reviewed this request and all of the information gathered so far and determined that it justified entering into an agreement without completing a full investigation of the complaint.

On November 28, 2018, we received the signed Resolution Agreement (Agreement), which is enclosed. When the Agreement is fully implemented, the allegations will be resolved consistent with the requirements of Title IV and its 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.

OCR is closing the investigative phase of the case effective the date of this letter. The case is now in the monitoring phase. The monitoring phase of the case will be completed when OCR determines that the District has fulfilled all of the terms of the Agreement. When the monitoring phase of the case is complete, OCR will close case number 08-18-1461 and will send a letter to the District and Complainant stating that the case is closed.

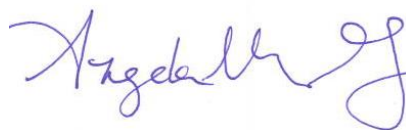
This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public.

Recipients of Federal funds are prohibited from intimidation, harassment, or retaliation against individuals filing a complaint with OCR and those participating in a complaint investigation. Complainants and participants who feel that such actions have occurred may file a separate complaint with OCR. Please note that 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. In the event that OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions, please contact XXXX, the attorney assigned to this case, at XXXX

Sincerely,

A handwritten signature in blue ink, appearing to read "Angela Martinez-Gonzalez".

Angela Martinez-Gonzalez  
Supervisory General Attorney  
Denver Enforcement Office

cc: Jon Fero, Counsel, by email only at [jfero@semplelaw.com](mailto:jfero@semplelaw.com)  
Dr. Katy Anthes, Colorado Commissioner of Instruction

Enclosure – Resolution Agreement