



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

50 UNITED NATIONS PLAZA  
MAIL BOX 1200; ROOM 1545  
SAN FRANCISCO, CA 94102

REGION IX  
CALIFORNIA

October 22, 2018

**VIA ELECTRONIC MAIL**

Wynette Hilton  
Superintendent  
Big Oak Flat/Groveland Unified School District  
19177 Hwy 120  
Groveland, CA 95321

(In reply, please refer to Case No. 09-18-1647)

Dear Superintendent Hilton,

This letter is to advise you of the disposition of the above-referenced complaint filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against Big Oak Flat/Groveland School District (District). The Complainant alleged that the accessible parking spaces at Tioga High School were not always available and usable for individuals with disabilities because other individuals, including school staff, were regularly parking in the accessible spaces.

OCR enforces Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination on the basis of disability in programs and activities operated by recipients of Federal financial assistance. OCR also has jurisdiction under Title II of the Americans with Disabilities Act of 1990 over disability discrimination complaints filed against public educational entities. The District receives funds from the Department and is a public education entity. Therefore, the District is subject to laws and regulations enforced by OCR.

During its investigation, OCR reviewed information provided by the Complainant and the District. Prior to OCR making a final determination, the District expressed an interest in voluntarily resolving the allegations pursuant to section 302 of OCR's Case Processing Manual,<sup>1</sup> and OCR agreed it was appropriate to do so. On October 19, 2018, without admitting to any violation of law, the District signed the enclosed Resolution Agreement, which, when fully implemented, is intended to address the allegations in the complaint.

Based on the commitments made in the enclosed Resolution Agreement, OCR is closing the investigation of this complaint as of the date of this letter, and notifying the Complainant concurrently. OCR will monitor the implementation of the resolution agreement until the District is in compliance with its terms. Upon completion of the obligations under the resolution agreement, OCR will close the case.

<sup>1</sup> <https://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.pdf>

This concludes OCR's investigation of the complaint and should not be interpreted to address the District compliance with any other regulatory provision or to address any issues other than those addressed in this letter. This letter sets forth OCR's determination in an individual OCR case. The Complainant may have a right to file a private suit in federal court whether or not OCR finds a violation.

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.

Please be advised that the District may not harass, coerce, intimidate, retaliate, 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.

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 Civil Rights Attorney Blake Thompson by email at [blake.thompson@ed.gov](mailto:blake.thompson@ed.gov) or at (415) 486-XXXX.

Sincerely,

/s/

Zachary Pelchat  
Team Leader

Enclosure