

participation in or receipt of benefits, services, or opportunities in the District’s program and, if so, whether the District failed to investigate promptly and to respond appropriately, in violation of 34 C.F.R. § 104.4, and the Title II implementing regulation at 28 C.F.R. § 35.130.

During its investigation to date, OCR reviewed documents provided by the District, interviewed the Student’s parents (the Parents), and spoke with a District administrator.

[X Paragraph Redacted X]

[X List Redacted X]

[X Paragraph Redacted X]

[X Paragraph Redacted X]

[X Paragraph Redacted X]

[X Paragraph Redacted X]

Under Section 302 of OCR’s *Case Processing Manual*, allegations under investigation may be resolved at any time when, prior to the issuance of a final investigative determination, the recipient expresses an interest in resolving the allegations and OCR determines that it is appropriate to resolve them because OCR’s investigation has identified concerns that can be addressed through a resolution agreement. In this case, the District expressed an interest in resolving the allegations prior to the conclusion of OCR’s investigation and OCR determined resolution was appropriate. On XXXXXXXXXXXXXXXXXXXX, the District signed the enclosed Resolution Agreement, which, when fully implemented, will address all of the allegations in the complaint. OCR will monitor the implementation of the Resolution Agreement.

This concludes OCR’s investigation of the complaint and should not be interpreted to address the District’s 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. 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, 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, OCR 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.

The Complainant may file a private suit in federal court, whether or not OCR finds a violation.

OCR looks forward to receiving the District's first monitoring report by March 31, 2021. For questions about implementation of the Agreement, please contact XXXXXXXXXXXXXXXX. He will be overseeing the monitoring and can be reached by telephone at XXXXXXXXXXXXXXXX or by e-mail at XXXXXXXXXXXXXXXX. If you have questions about this letter, please contact me by telephone at XXXXXXXXXXXXXXXX.

Sincerely,

Sacara E. Miller
Supervisory Attorney/Team Leader

Enclosure