Resolution Agreement Adams 12 Five Star Schools OCR Case Number 08-13-1293

The U.S. Department of Education, Office for Civil Rights (OCR), initiated investigation of the above-referenced complaint against Adams County 12 Five Star Schools (District), pursuant to Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 C.F.R. Part 104 (Section 504), 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 (Title II), which prohibit discrimination on the basis of disability by public entities. The District is subject to these laws and regulations. Accordingly, to ensure compliance with Section 504 and Title II and their implementing regulations and to resolve the issues of this case, the District voluntarily agrees to take the following actions:

1. The District will provide the Student five weeks of compensatory XXXXX. The sessions will be XXXXX. The XXXXX will be provided by a special education endorsed learning specialist.

<u>Reporting Requirement 1</u>:

By May 16, 2014, the District will provide OCR written documentation that it has provided the Student with the compensatory instruction specified in this item. The written verification will include: the credentials of the instructor, sign-in sheet for the instructional time including the date and time spent, and a summary of material covered with the Student.

2. The District will provide the Student five weeks of compensatory XXXXX. The sessions will be XXXXX and may be provided, if agreed upon by the Student's parent, on the same day as the XXXXX identified in Item 1. The XXXXX will be provided by a special education endorsed specialist.

Reporting Requirement 2:

By May 16, 2014, the District will provide OCR written documentation that it has provided the Student the compensatory instruction specified in this item. The written verification will include: the credentials of the instructor, sign-in sheet for the instructional time including the date and time spent, and a summary of material covered with the Student.

3. The District will draft a letter to the Complainant for OCR's approval, identifying the District's obligations to identify and locate students with disabilities within its jurisdiction in accordance with 34 C.F.R. § 104.32. The District will also invite the Complainant to re-

¹ Combined instructional time would equal XXXXX.

enroll the student in the District in order for the District to provide a free appropriate public education to include a re-evaluation of the student in accordance with 34 C.F.R § 104.33.

Reporting Requirement 3:

By March 13, 2014, the District will send OCR its draft letter to the Complainant for OCR's review and approval.

4. The District will consider and respond to any feedback from OCR with respect to the draft letter required at Item 3. Within **five days** of receiving OCR approval of its draft letter, the District will mail the letter to the Complainant at the Complainant's last known address.

Reporting Requirement 4:

Within **ten days** of mailing the letter as required in this item, the District will provide written verification to OCR that the letter was mailed.

The District understands that by signing this agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II which were at issue in this case.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

For the Adams 12 Five Star Schools (Thornton, Colorado)

/s/	_3-13-14	
Mr. Christopher E. Gdowski	Date:	
Superintendent of Schools		
Adams 12 Five Star Schools		