

RESOLUTION AGREEMENT
Colorado Charter School Institute
Case Number 08-14-1263

In order to resolve the allegation in case number 08-14-1263, filed against the Colorado Charter School Institute (the Institute) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR), and an additional compliance concern, the Institute agrees to implement this Resolution Agreement. This case was initiated pursuant Section 504 of the Rehabilitation Act of 1973 and its implementing regulation, which prohibit discrimination on the basis of disability in programs and activities funded by the U.S. Department of Education; and Title II of the Americans with Disabilities Act and its implementing regulation, which prohibit discrimination on the basis of disability by public entities.

Terms 1 through 7 of this Agreement address OCR's finding that the Institute discriminated against the Student by dis-enrolling him from T.R. Paul Academy of Arts and Knowledge on the basis of his disability.

1. The Institute will review its policies and procedures for enrollment of students with disabilities, revise the policies and procedures as necessary to ensure compliance with Section 504 and Title II, and submit the policies and procedures to OCR for review and approval.

REPORTING REQUIREMENT: Within 45 days after the date this Agreement is signed, the Institute will submit to OCR for review and approval the above-mentioned policies and procedures.

2. The Institute will consider and respond to any feedback from OCR with respect to the draft enrollment policies and procedures. After obtaining OCR's approval, the Institute will post the policies and procedures in a place where they can be readily located by applicants to the Institute's schools (e.g., in the enrollment information sections of each Institute school's website).

REPORTING REQUIREMENT: Within 30 days of obtaining OCR's approval of the enrollment policies and procedures, or September 4, 2015 (whichever is later), the Institute will provide OCR documentation that shows where the policies and procedures have been posted (e.g., links to the schools' public websites).

3. The Institute will draft in-service training materials, identifying one or more persons knowledgeable about Section 504 and Title II who will provide the training. The training will be provided on an annual basis, at minimum, to all Institute staff and all T.R. Paul Academy staff who are involved with any step of the application and enrollment process for students with disabilities. The training will include a review of the Institute's and the Academy's obligations to comply with Section 504 and Title II, and a review of each step of the application and enrollment process for students with disabilities.

REPORTING REQUIREMENT: Within 30 days of obtaining OCR's approval of the enrollment policies and procedures submitted pursuant to Term 1, the Institute will submit its proposed training materials to OCR. Such documentation will include the draft training materials for OCR's review and

approval, the name and qualifications of the intended trainer, and a list of individuals who will receive the training.

4. The Institute will consider and respond to any feedback from OCR with respect to the training materials identified in Term 3. After obtaining OCR's approval, the Institute will schedule and conduct an in-service training for the staff members identified.

REPORTING REQUIREMENT: Within 30 days after obtaining OCR's approval of the training materials, the Institute will submit to OCR documentation that the training was provided. Such documentation will include the agenda and handouts for the training, the date and time the training was held, and a copy of the attendance sheet from the training including the names and title of each participant, along with a written assurance from the Institute that all required attendees were present during the training.

5. The Institute will draft a letter to the complainant which communicates that it has entered into the Agreement, and issues a formal invitation for the Student to re-apply at any school chartered by the Institute. On a one-time basis, the Institute will permit the Student to enroll without regard to enrollment caps at the start of the 2015-2016 or 2016-2017 school year.

REPORTING REQUIREMENT: Within 15 days after this Agreement is signed, the Institute will provide OCR a draft letter notifying the complainant of the Agreement, and inviting the Student to re-apply.

6. The Institute will consider and respond to any feedback from OCR with respect to the draft letter to the complainant. After obtaining OCR's approval, the Institute will mail the letter to the complainant.

REPORTING REQUIREMENT: Within 15 days of obtaining OCR's approval of the letter, the Institute will provide OCR documentation that the letter was mailed to the complainant.

7. The Institute will reimburse the complainant in the amount of \$XXXX for the out-of-pocket expenses incurred as a result of the Academy's actions.

REPORTING REQUIREMENT: Within 60 days after this Agreement is signed, the Institute will provide OCR documentation of payment to the complainant (e.g., a copy of a check).

Terms 8 through 10 of this Agreement address, without making findings, possible compliance concerns that arose during the course of our investigation.

8. The Institute will conduct a self-evaluation of the accessibility of the Institute's program at the Academy modeled after 28 C.F.R. § 35.105, including an evaluation of structural barriers and accessible features by a licensed architect, consistent with the regulatory requirements of Section 504 and Title II.

REPORTING REQUIREMENT: Within 180 days of the date of this Agreement, the Institute will provide OCR the results of its self-evaluation (e.g., a report from a licensed architect).

- 9. The Institute will formulate a plan for addressing any self-identified accessibility compliance concerns and submit it to OCR for review and approval. The plan will include a schedule (not to exceed three years) for any modifications or other steps needed to achieve regulatory compliance.

REPORTING REQUIREMENT: Within 30 days after completing its self-evaluation pursuant to Term 8, the Institute will submit its plan to OCR.

- 10. The Institute will consider and respond to any feedback from OCR with respect to the plan. After obtaining OCR’s approval, the Institute will immediately begin implementation of the plan.

REPORTING REQUIREMENT: Within 180 days of obtaining OCR’s approval for the plan, the Institute will submit to OCR documentation verifying its completion of the scheduled activities. The Institute will continue to report its progress on the plan to OCR by every subsequent June 30 and December 31, until the plan has been completed.

The Institute understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the Institute understands that during the monitoring of this Agreement, OCR may visit the Institute, interview staff and students and request such additional reports or data as are necessary for OCR to determine whether the Institute has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II at 34 C.F.R. §§ 104.4(a), (b)(1)(i), and 104.21; and 28 C.F.R. §§ 35.130(a), (b)(1)(i), 35.133, and 35.149, which were at issue in this case.

The Institute understands that OCR will not close the monitoring of this Agreement until OCR determines that the Institute has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II at 34 C.F.R. §§ 104.4(a), (b)(1)(i), and 104.21; and 28 C.F.R. §§ 35.130(a), (b)(1)(i) , 35.133, and 35.149, which were at issue in this case.

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

For Colorado Charter School Institute:

/s/

Ethan Hemming
Executive Director

Date