



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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REGION VIII
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March 30, 2015

Dr. Peter Bezanson, Chief Executive Officer
BASIS.ed
7975 North Hayden Road, Suite B100
Scottsdale, Arizona 85258

Re: BASIS.ed
Case Number: 08-15-1005

Dear Dr. Bezanson:

On November 20, 2014, we notified you that we had accepted for investigation the above-referenced complaint alleging BASIS.ed (BASIS) discriminated on the basis of disability by having a policy of not modifying curriculum for students with disabilities.

We initiated an investigation of this allegation under Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 Code of Federal Regulations Part 104. As a recipient of Federal financial assistance from the U.S. Department of Education, BASIS is subject to this law and regulation. Additional information about the laws OCR enforces is available on our website at <http://ed.gov/ocr>.

During the course of processing this complaint, BASIS indicated its desire to voluntarily enter into an agreement to resolve the allegations pursuant to Section 302 of the *Case Processing Manual*. We reviewed this request and determined that it justified entering into an agreement without completing a full investigation.

On March 26, 2015, we received BASIS' signed Resolution Agreement (enclosed). When the Agreement is fully implemented, the allegation will have been resolved consistent with the requirements of Section 504 and its implementing regulation. We will monitor implementation of the Agreement through periodic reports demonstrating the terms of the Agreement have been fulfilled. We will promptly provide written notice of any deficiencies with respect to the implementation of the terms of the agreement and will promptly require actions to address such deficiencies. If BASIS fails to implement the Agreement, we will take appropriate action, which may include enforcement actions, as described in the Agreement.

OCR routinely advises recipients of Federal funds that Federal regulations prohibit intimidation, harassment, or retaliation against those filing complaints 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.

Additionally, 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. If OCR receives such a request, we will protect personal information to the extent provided by law.

This concludes OCR's investigative phase of this complaint. We are closing the investigative phase of this case effective the date of this letter. This letter addresses only the issue above and should not be interpreted as a determination of BASIS' compliance or noncompliance with Section 504 and its implementing regulation in any other respect.

If you have any questions regarding this matter, please contact XXX, at 303-844-XXX, or me at 303-844-2557.

Sincerely,

/s/

Stephen Chen
Supervisory General Attorney

Enclosure

cc: Michelle Keogh, General Counsel