



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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DENVER, CO 80204-3582

REGION VIII
ARIZONA
COLORADO
NEW MEXICO
UTAH
WYOMING

November 29, 2016

Brandon Jones
Chief Executive Officer
Legacy Traditional School
3201 South Gilbert Road
Chandler, Arizona 85286

Re: **Legacy Traditional School**
OCR Case Number: 08-16-1425

Dear Mr. Jones:

We write to inform you of the resolution of the above-referenced complaint, filed on August 8, 2016, against Legacy Traditional School (“the School”), alleging discrimination on the basis of disability. Specifically, the Complainant alleged that the website for KidsCare, the School’s before- and after-school program, stated that it does not accommodate food allergies.

The Office for Civil Rights (OCR) of the U.S. Department of Education (“the Department”) is responsible for enforcing: Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 Code of Federal Regulations (C.F.R.) Part 104, which prohibit discrimination on the basis of disability in programs and activities that receive Federal financial assistance from the Department; and Title II of the Americans with Disabilities Act of 1990 and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public entities. As a recipient of Federal financial assistance from the Department and a public entity, the School is subject to these laws and regulations.

While OCR was evaluating the complaint, the School expressed an interest in taking action to resolve the Complainant’s allegation. We determined that, pursuant to Section 302 of our *Case Processing Manual*, it was appropriate to enter into an agreement without opening a full investigation of the allegation.

We then drafted a Resolution Agreement (“the Agreement”) and sent it to the School. On November 18, 2016, we received a signed Agreement (copy enclosed) from the School.

When the Agreement is fully implemented, the allegation will be resolved consistent with the requirements of Section 504, Title II, and their implementing regulations. OCR will monitor implementation of the Agreement through periodic reports from the School 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 the School fails to implement the Agreement, we will take appropriate action, which may include enforcement actions.

The Department of Education’s mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

This concludes OCR's evaluation of the complaint and should not be interpreted to address the School's compliance with any law or regulatory provision, or to address any issues other than those addressed in this letter. We are closing this complaint effective the date of this letter.

Please note that a complainant may have the right to file a private suit in federal court whether or not OCR finds a violation. Please be advised that the School 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.

This letter sets forth OCR's determination in an individual 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.

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, personal information, which, if released, could constitute an unwarranted invasion of privacy.

If you have any questions or concerns, you may contact XXXX XXXX, the attorney assigned to this complaint, at (XXX) XXX-XXXX or XXXX.XXXX@ed.gov. You may also contact me at (XXX) XXX-XXXX.

Sincerely,

Stephen Chen
Program Manager

Attachment: Resolution Agreement

cc: XXXX XXXX
Deputy Superintendent of Exceptional Student Services
Legacy Traditional School