

**Resolution Agreement  
Propel Charter Schools  
OCR Case No. 03151024**

In order to resolve the allegations in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination based on disability, Propel Charter Schools (Propel) voluntarily enters into this Resolution Agreement and makes the following commitments to OCR.

This Agreement does not constitute an admission of liability by Propel, nor does it constitute a determination by OCR that the School violated any of the regulations enforced by OCR.

Policies and Procedures

1. By June 15, 2015, Propel Charter Schools will take all steps necessary to ensure that students enrolled in its schools are not subjected to a hostile environment on the basis of disability. By June 15, 2015, Propel will review, and revise if necessary, its anti-harassment and bullying policies and complaint procedures to make certain such policies and procedures contain the necessary components to ensure that once Propel is on notice of possible disability harassment of students, Propel will take immediate and appropriate steps to investigate the harassment or otherwise determine what occurred, take prompt and effective steps reasonably calculated to end any harassment and prevent the harassment from occurring again, and take actions to eliminate a hostile environment if one has been created. If the below provisions are not already included in Propel's anti-harassment and bullying policies and procedures, such will be revised to include the following:
  - a. a prohibition of harassment with examples, including disability harassment;
  - b. a description of its grievance procedures and directions how to file a complaint, if appropriate;
  - c. a statement of the application of the policies and procedures to employees, students, or third parties and to incidents that occur on school grounds during and after school hours, at school sponsored events, or at events off school grounds that cause a hostile environment on school grounds;
  - d. a statement that Propel will promptly and equitably investigate all incidents of harassment on the basis of disability using a preponderance of the evidence standard once on notice of such alleged harassment and that both parties will have the opportunity to present witnesses and other evidence;
  - e. a description of designated and prompt time frames for major stages of the investigation;
  - f. a description of interim measures it may take for the person who is the target of the harassment;
  - g. notice that it will provide both parties a written description of the outcome of the investigation;

- h. notice that it will take appropriate action against the individual(s) found to have engaged in harassing behavior, including discipline, counseling, or other actions as appropriate, and will provide an appropriate remedy to the person who is the target of the harassment including counseling and other resources; and
- i. notice of its prohibition against retaliation and intimidation.

REPORTING REQUIREMENT: By June 15, 2015, Propel will submit its revised policies and procedures to OCR for review and approval.

- 2. By June 15, 2015, Propel will review, and revise if necessary, its anti-harassment and bullying policies, and the Nondiscrimination Policy in the its Code of Conduct, to include the full contact information (name or title, address, telephone number and email address) of the individual(s) responsible for investigating complaints of disability discrimination, harassment and bullying.

REPORTING REQUIREMENT: By June 15, 2015, Propel will submit its revised policies and procedures to OCR for review and approval.

- 3. Within 60 calendar days of written notification of OCR’s review and approval of its revised policies and procedures developed in accordance with #1 and 2, Propel will adopt and implement the revised policies and procedures and will provide all administrators, teachers, and staff with written notice regarding the new policies and procedures. The revised policies and procedures will also be placed on Propel’s website and included in the Code of Conduct for the 2015-2016 school year.

REPORTING REQUIREMENT: Within 75 calendar days of written notification of OCR’s review and approval of any revised policies and procedures developed in accordance with #1 and 2, Propel will provide OCR with documentation that it has implemented #3, including copies of the written notices issued to administrators, teachers, and staff, a copy of the 2015-2016 Code of Conduct, and a link to the revised policies and procedures on its website.

Anti-Harassment Statement

- 4. At the start of the 2015-2016 school year, or on or before September 1, 2015, the Superintendent will issue a statement to students, parents and staff at all Propel Charter Schools that will be published on Propel’s website, and posted in prominent locations at XXXXXX, stating that Propel does not tolerate acts of bullying and harassment on any prohibited basis, including acts of harassment based disability. The statement will note Propel’s commitment to conducting a prompt investigation and will encourage any person who believes he or she has been subjected to harassment or a hostile environment to report the harassment or hostile environment to Propel. The statement will include the contact information for the designated staff member(s) to whom students and parents may report allegations of harassment and/or discrimination. The statement will warn that persons found to have engaged in acts of harassment or other acts that create a hostile environment will be promptly disciplined in a manner consistent with Propel’s anti-harassment and

bullying policies and the Code of Conduct. The statement will include a link on Propel's website to the revised anti-harassment and bullying policies and complaint procedures and will encourage students, parents, and Propel staff to work together to prevent acts of harassment of any kind.

**REPORTING REQUIREMENT:** By September 15, 2015, Propel will provide OCR with documentation that it has implemented #4, including a copy of the statement, locations of postings, and the link to the statement placed on its website.

### Training

5. Within 60 calendar days of written notification of OCR's review and approval of any revised policies and procedures developed in accordance with #1 and 2, Propel will provide training on Propel's anti-harassment and bullying policies and procedures and the Code of Conduct to all administrators, teachers, and staff at XXXXXX responsible for supervising students. The training will specifically address the responsibility of staff to report incidents of possible disability harassment or complaints of disability harassment of which they become aware and the procedures for doing so, and provide instruction on how to recognize, take steps reasonably designed to prevent and respond appropriately to harassment, including disability harassment.

**REPORTING REQUIREMENT:** Within 30 calendar days of conducting the training under #5, Propel will provide OCR with documentation that it has provided all administrators, teachers, and staff at XXXXXX responsible for supervising students with the training required in #5, including the dates of the training, the names and titles of the trainer(s), a copy of materials used or distributed during the training, and a sign-in sheet with the names and titles of the staff who attended the training.

6. Within 60 calendar days of written notification of OCR's review and approval of any revised policies and procedures developed in accordance with #1 and 2, XXXXXX will provide training to all staff at the School directly involved in processing, investigating and/or resolving complaints of disability discrimination or reports of disability harassment and bullying. The training will specifically address the appropriate techniques for promptly responding to and investigating allegations of harassment including timelines, responsibilities, documentation, interviewing victims, the accused, and witnesses, analyzing the information obtained during investigations, making findings using the preponderance of evidence standard, and responding to the complainant in writing with respect to its determination.

**REPORTING REQUIREMENT:** Within 30 calendar days of conducting the training, Propel will provide OCR with documentation that it has provided the training required in #6, including the dates of the training, the names and titles of the trainer(s), a copy of materials used or distributed during the training, and a sign-in sheet with the names and titles of the staff who attended the training.

7. Within 60 calendar days of written notification of OCR’s review and approval of any revised policies and procedures developed in accordance with #1 and 2, XXXXXX will provide age-appropriate training regarding the prohibition against disability discrimination, including disability harassment, for all students at XXXXXX. This training will review the types of conduct that constitute disability discrimination and harassment, and the revised and/or adopted disability grievance procedures, including how to report such conduct.

REPORTING REQUIREMENT: Within 30 calendar days of conducting the training, Propel will provide OCR with documentation that it has provided the training required in #7, including the dates of the training, the names and titles of the trainer(s), and a copy of materials used or distributed during the training.

XXXXXX

8. xxx – paragraphs redacted – xxx

Propel understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, Propel understands that during the monitoring of this agreement, if necessary, OCR may visit Propel, interview employees and students, and request such additional reports or data as are necessary for OCR to determine whether Propel has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. § 104.4, and Title II, at 28 C.F.R. § 35.130, which were at issue in this complaint.

Propel understands that OCR will not close the monitoring of this agreement until OCR determines that Propel has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. § 104.4, and Title II, at 28 C.F.R. § 35.130, which were at issue in this complaint.

Propel 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 Propel written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

/s/

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Superintendent or Designee

May 22, 2015

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Date