



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

1999 BRYAN ST., SUITE 1620  
DALLAS, TX 75201-6810

REGION VI  
ARKANSAS  
LOUISIANA  
MISSISSIPPI  
TEXAS

February 11, 2019

OCR Ref. No. 06-19-1128

[XXXX to end of address line]

Dear [XXXX XXXX]:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, has resolved the above-referenced complaint filed against [XXXX XXXX], the University Method of Education Preparatory Academy (UME, District or recipient) in Dallas, Texas. The complainant alleged that the District discriminated against [XXXX XXXX] (Student) on the basis of disability ([XXXX]). Specifically, the complainant made the following allegations:

1. From [XXXX to end of clause], the District discriminated against the Student on the basis of disability by failing to properly evaluate the Student for accommodations;
2. From [XXXX to end of clause], the District discriminated against the Student on the basis of disability by failing to provide the Student with accommodations to meet [XXXX] individual educational needs; and
3. From [XXXX to end of clause], the District discriminated against the Student on the basis of disability by failing to effectively communicate with the Student under the Americans with Disabilities Act.

OCR is responsible for determining whether entities that receive or benefit from Federal financial assistance from the Department or an agency that has delegated investigative authority to the Department are in compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulations at 34 C.F.R. Part 104. Section 504 prohibits discrimination on the basis of disability. OCR is also responsible for enforcing Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulations at 28 C.F.R. Part 35. Under Title II, OCR has jurisdiction over complaints alleging discrimination on the basis of disability that are filed against public entities, including public elementary and secondary educational institutions. The District is a recipient of Federal financial assistance from the Department and is a public elementary and secondary educational institution. Therefore, OCR has jurisdiction to process this complaint to resolution pursuant to Section 504 and Title II.

In an email sent to the District on December 6, 2018, OCR initiated Rapid Resolution Process (RRP) in an attempt to resolve this complaint pursuant to Section 110 of OCR's *Case Processing Manual* (CPM). During RRP, OCR obtained from both the complainant and the District evidence relevant to the allegations filed in this matter.

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

Evidence Obtained:

[XXXX to end of section]

Preliminary Analysis:

[XXXX to end of section]

Resolution Summary:

In addition to collecting information during RRP from the complainant and the District, OCR received the District's expressed interest in resolving the complaint allegations. Section 110 of OCR's CPM provides that, where a recipient has indicated that it is willing to take action in the future to resolve the complaint, or the recipient has already taken action that requires monitoring; the complaint may be resolved pursuant to CPM Sections 302(c) and 304 by obtaining a resolution agreement, the implementation of which OCR will monitor. Further, CPM Section 302 provides that complaint allegations may be resolved at any time when, prior to the point when the Regional Office issues a final determination under CPM Section 303, the recipient expresses an interest in resolving the allegations and OCR determines that it is appropriate to resolve them with an agreement. OCR approved the District's request to resolve this complaint prior to the conclusion of the investigation.

The District signed the enclosed Resolution Agreement (Agreement) on February 11, 2019. OCR has determined that, when fully implemented, the Agreement will address all of the complaint allegations. Further, OCR accepts the Agreement as an assurance the District will fulfill its obligations under Section 504 and Title II with respect to this complaint. The dates for implementation and specific actions are detailed in the enclosed Agreement. As of the date of this letter, OCR's investigation of this complaint is closed. OCR will monitor the District's implementation of the Agreement. Please be advised that if the District fails to adhere to the actions outlined in the Agreement, OCR will resume its compliance efforts.

This letter sets forth OCR's determination in an individual OCR 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. The complainant may have the right to file a private suit in Federal court whether or not OCR finds a violation.

Please be advised the District 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 a complaint alleging such treatment.

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, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

OCR appreciates [XXXX XXXX] the District for your cooperation during the investigation and resolution of this complaint. If you have any questions regarding this letter, please contact General Attorney Cristin Hedman, the investigator assigned to the matter, at (214)-661-9647 or [cristin.hedman@ed.gov](mailto:cristin.hedman@ed.gov). You may also contact me at (214)-661-9638 or [lori.bringas@ed.gov](mailto:lori.bringas@ed.gov).

Sincerely,

Lori Howard Bringas  
Supervisory Attorney/Team Leader  
Office for Civil Rights  
Dallas Office

Enclosure: Signed Resolution Agreement

CC: [XXXX to end of CC line]