



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

1244 SPEER BLVD, SUITE 310
DENVER, CO 80204-3582

REGION VIII
ARIZONA
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April 23, 2015

Mr. Tom Boasberg
Superintendent
Emily Griffith Campus
1860 Lincoln St., 12th Floor
Denver, CO 80203

Re: Denver Public School District
Case Number: 08-15-1106

Dear Mr. Boasberg:

This letter provides notice of our decision in the above-referenced complaint against the Denver Public School District (District). Specifically, the Complainant alleged that the District failed to make individual placement determinations for students with disabilities in the XXXXX program at Ellis Elementary School.

OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 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.

Prior to the conclusion of OCR's investigation, during discussions with OCR, the District requested to resolve the complaint and signed an Agreement which, when fully implemented, will address the issue raised. In accordance with Section 302 of OCR's *Case Processing Manual*, the provisions of the Agreement are aligned with the complaint allegations and the information obtained during OCR's investigation, and consistent with the applicable regulations. Therefore, OCR is closing this complaint effective the date of this letter. OCR, however, will monitor the District's implementation of the Agreement. A copy of the Agreement is enclosed.

OCR has provided written notification to the Complainant that the District has entered into this Agreement, and we provided the Complainants a copy of the Agreement.

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 we receive 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.

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If you have any questions, you may contact Rodney Reed, Equal Opportunity Specialist, at (303) 844-4696, or by E-mail at rodney.reed@ed.gov.

Sincerely,

/S/

Stephen Chen
Supervisory Attorney

Enclosures – Resolution Agreement

Cc: (With Enclosure): Ms. Amber Elias, Deputy General Counsel

Cc: (W/o enclosures): Mr. Robert Hammond, Commissioner of Education