



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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DENVER, CO 80204-3582

REGION VIII  
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August 13, 2015

Dr. James R. Veitenheimer  
Superintendent  
Deer Valley Unified School District  
20402 N. 15th Avenue  
Phoenix, Arizona 85027

Re: Deer Valley Unified School District  
Case Number: 08-15-1151

Dear Dr. Veitenheimer:

This letter provides notice of our decision in the above-referenced complaint against the Deer Valley Unified School District (District). Specifically, the Complainant alleged that she was denied access from observing XXXX therapy sessions and subjected to more rigorous visitation requirements than other parents.

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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The complainant may have a right to file a private suit in federal court whether or not OCR finds a violation.

If you have any questions, you may contact XXXX, Equal Opportunity Specialist, at (303) 844-XXXX, or by E-mail at XXXX.

Sincerely,

Stephen Chen  
Supervisory Attorney

Enclosures – Resolution Agreement

Cc: (With Enclosure): Ms. Jennifer N. MacLennan, Esq.  
Gust Rosenfeld P.L.C.

Cc: (W/o enclosures): Diane Douglas  
Superintendent, Arizona Department of Education