



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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DENVER, CO 80204-3582

REGION VIII
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August 15, 2018

Dr. Reginald Barr
Chief Executive Officer
Amerischools Academy
1150 North Country Club Road
Tucson, AZ 58716

Sent via email to XXXX@amerischools.org

Re: Amerischools Academy
OCR Case Number: 08-18-1252

Dear Dr. Barr:

We write to advise you of the resolution of a complaint filed with our office against Amerischools Academy (Academy) alleging discrimination on the basis of disability. Specifically, we opened an investigation to determine whether the Academy maintains a website that is inaccessible to individuals with disabilities.

The Office for Civil Rights (OCR) of the U.S. Department of Education (Department) is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 Code of Federal Regulation Part 104, which prohibit discrimination on the basis of disability in programs and activities that receive Federal financial assistance from the U.S. Department of Education; 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 Academy is subject to these laws and regulations.

After reviewing the information provided by the Complainant and OCR's own review of the Academy's website, OCR observed that there were elements of the Academy's website that could pose accessibility challenges for certain individuals with disabilities such as an individual who is visually impaired, has low vision, or has difficulty with fine motor functions.

During the course of our investigation, the Academy indicated its desire to voluntarily enter into an agreement to resolve the complaint allegations pursuant to Section 302 of our *Case Processing Manual*. On August 8, 2018, prior to OCR completing its investigation or making any findings of fact, the Academy signed an Agreement which, when fully implemented, will address the issues raised in the complaint.

In accordance with Section 302 of OCR's *Case Processing Manual* (CPM), the provisions of the Agreement signed by the Academy are aligned with the complaint allegations and the information obtained during OCR's processing of this case, and consistent with the applicable regulations. Therefore, OCR is closing this complaint investigation effective the date of this letter. OCR, however, will monitor the Academy's implementation of the Agreement until the Academy fulfills the terms of the agreement and is in compliance with the statutes and regulations at issue in this case. If the Academy fails to

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

implement the Agreement as specified, OCR may initiate administrative or judicial proceedings as described in the Agreement or resume its investigation of the initial allegations. A copy of the Agreement is enclosed.

Please be advised that the Academy 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 Complainant may file another complaint alleging such treatment. In addition, the Complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, we will protect personal information to the extent provided by law.

Thank you for your responsiveness and assistance in the rapid resolution of this complaint. If you have any questions, you may contact me at (303) 844-2557.

Sincerely,

Stephen Chen
Program Manager

Enclosure: Signed Resolution Agreement

cc: Diane Douglas, Arizona Superintendent (via email only to: adeinbox@azed.gov)