



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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REGION VIII  
ARIZONA  
COLORADO  
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WYOMING

August 1, 2018

VIA EMAIL:

XXX  
XXX  
XXX

Ms. Cameron Gehlen  
Principal  
Compass Montessori -Golden  
4441 Salvia St.  
Golden, CO 80403

Re: Jefferson County Public Schools/ Compass Montessori-Golden  
Case Number: 08-18-1351

Dear Principal Gehlen:

On July 10, 2018, we notified you that we had accepted for investigation the above-referenced complaint alleging Jefferson County Public Schools (District) and Compass Montessori – Golden (School) discriminated against the Complainant’s son (“Student”) on the basis of disability. Specifically, the Complainant alleged that the District denied the Student a free appropriate public education (FAPE) by failing to implement his Individual Education Program by not providing the Student with accommodations or the instructional minutes from a special education teacher.

We initiated an investigation of this allegation under Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 Code of Federal Regulations Part 104, 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 U.S. Department of Education, the District is subject to these laws and regulations.

During the course of the investigation, the District expressed an interest in voluntarily entering into an agreement to resolve the allegations and ensure compliance with Section 504 and Title II. Pursuant to Section 302 of OCR’s Case Processing Manual, a complaint may be resolved when, before the conclusion of an investigation, a recipient expresses an interest in resolving the complaint, OCR believes that doing so is appropriate, and the remedies align with the allegations.

On July 31, 2018, we received the District’s signed Resolution Agreement (enclosed). OCR is closing the investigative phase of this case effective the date of this letter. The case is now in the monitoring phase. OCR will closely monitor the recipient’s implementation of the Agreement to

ensure that the commitments made are implemented timely and effectively and that the recipient's policies and practices are administered in a nondiscriminatory manner. When the Agreement is fully implemented, the allegations will have been resolved consistent with the requirements of Section 504, Title II, and their implementing regulations. If the District fails to implement the Agreement, we will take appropriate action, which may include enforcement actions, as described in the Agreement.

Please be advised that the District or School 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.

We are committed to prompt and effective service. If you have any questions, please contact Georgia Montoya, the attorney assigned in this case at (303) 844-5258 or by email at [Georgia.Montoya@ed.gov](mailto:Georgia.Montoya@ed.gov).

Sincerely,

/s/

Thomas M. Rock  
Supervisory General Attorney  
Denver Enforcement Office

Enclosure: Signed Resolution Agreement