



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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August 30, 2019

Camille Casteel, Ed.D., Superintendent  
Chandler Unified School District  
1525 West Frye Road  
Chandler, Arizona 85224

*By email only to: XXXX*

Re: Chandler Unified School District  
Case Number: 08-19-1303

Dear Dr. Casteel:

On April 9, 2019, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint of discrimination against Chandler Unified School District (District). The Complainant alleged that staff at XXX School (School) denied her son a free appropriate public education during the 2018-2019 school year by not implementing his Individualized Education Program (IEP).

We are responsible for enforcing Section 504 of the Rehabilitation Act of 1973 (Section 504), and its implementing regulation, at 34 Code of Federal Regulations (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 (Title II), 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 District is subject to these laws and regulations.

In the initial stage of investigating this case, OCR reviewed information from the Complainant, interviewed the Complainant, and requested data from the District. After reviewing the Complainant's information, OCR learned the following:

- The Student had two IEPs during the 2018-2019 school year. The IEPs are dated February 23, 2018, and February 26, 2019.
- The Complainant communicated with School staff about lack of communication with the Student's Science teacher, and the Student received some failing grades in Science. The evidence further showed that the Complainant communicated with School staff about the Student's IEP not being implemented, and she received an email from School staff showing that a meeting was held with the Student on November 6, 2018, without first informing the Complainant.

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

- The Student's IEP dated February 23, 2018, includes an accommodation requiring School staff to contact the Complainant prior to holding a meeting with the Student.
- The evidence suggests that there may have been a lack of communication with the Student's Science teacher regarding his assignments, grades and IEP, and that some accommodations were not implemented by School staff.

During the course of our investigation, the District indicated its desire to voluntarily enter into an agreement to resolve the complaint allegation pursuant to Section 302 of our *Case Processing Manual (CPM)*. On July 24, 2019, prior to OCR completing its investigation or making any findings of fact, the District signed an Agreement which, when fully implemented, will address the issue raised in the complaint.

In accordance with Section 302 of OCR's *CPM*, the provisions of the Agreement signed by the District, when fully implemented, will address the allegation and are consistent with the information obtained during OCR's processing of this case and the applicable regulations. Therefore, OCR is closing this complaint investigation effective the date of this letter. OCR, however, will actively monitor the District's implementation of the Agreement until the District fulfills the terms of the agreement and is in compliance with the statutes and regulations at issue in this case. If the District fails to implement the Agreement as specified, OCR may initiate administrative or judicial proceedings as described in the Agreement or resume its investigation of the initial allegation. A copy of the Agreement is enclosed.

Please be advised that 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 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.

If you have any questions, you may contact xxxxx, Equal Opportunity Specialist, at (303) 844-xxxx or xxxxx@ed.gov.

Sincerely,

/s/

Sandra J. Roesti  
Supervisory General Attorney

Enclosure: Signed Resolution Agreement

cc: Kathy Hoffman, Superintendent of Public Instruction, *via email only*  
xxxxxx, Attorney at Law, *via email only*