



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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

REGION VIII

ARIZONA  
COLORADO  
NEW MEXICO  
UTAH  
WYOMING

**RESOLUTION AGREEMENT**

Douglas County School District (Platte River Academy)  
OCR Case Number: 08221371

The Douglas County School District (DCSD, District, or Recipient) and Platte River Academy (PRA, or School) voluntarily enter this Resolution Agreement (Agreement) with the U.S. Department of Education (Department), Office for Civil Rights (OCR), Denver Office. The Recipient and School voluntarily agree to take the following actions to comply with Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulations at 34 C.F.R. Part 104; and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulations at 28 C.F.R. Part 35, and to resolve the Complainant's allegations. This Agreement does not constitute an admission by DCSD or PRA that it violated any law, that it discriminated against the Complainant, or that DCSD or PRA engaged in any wrongdoing.<sup>1</sup> Prior to the completion of OCR's investigation, DCSD and PRA agreed to resolve this complaint. Accordingly, DCSD and PRA voluntarily agree to take the following actions:

**ACTION ITEMS & REPORTING REQUIREMENTS:**

**Action Item 1**

- A. **No later than May 1, 2023**, the Recipient will provide training regarding its obligation under Section 504 and Title II (Training). The Training will include, but not be limited to, the following obligations under Section 504 and Title II:
- To properly evaluate or reevaluate students prior to a significant change in placement; and
  - The prohibition of different treatment of individuals based on disability.

The Training will be provided to all relevant personnel including, but not limited to all PRA administration, including principals, assistant principals, other relevant administrators; Section 504 coordinators; teachers; teacher's aides; and counselors. The Training will be conducted by an individual or individuals knowledgeable about laws and issues pertaining to disability discrimination, including Section 504 and Title II.

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<sup>1</sup> It is DCSD's and PRA's position that the School did not impermissibly change the Student's placement or violate the Student's least restrictive environment.

**Reporting Requirements for Action Item 1**

- A. **Prior to the providing the Training outlined in Action Item 1, and no later than February 1, 2023**, the Recipient will provide OCR, for review and approval, the following:
- i. A copy of the Training materials the Recipient will use (e.g., Power Point slides, discussion materials);
  - ii. The name, title, credentials, and contact information for the person(s) who created the Training materials, and who will provide the training.
- B. **No later than June 1, 2023**, the Recipient will provide OCR with detailed information regarding the Training conducted pursuant to Action Item 1, including the following:
- i. A list of all personnel who completed the training (e.g., sign-in sheets)(List);
  - ii. Assurance that the List constitutes the entirety of the personnel required to attend the Training;
  - iii. The date(s) of the Training;
  - iv. A copy of the Training materials used; and
  - v. The name, title, credentials, and contact information of the person(s) who provided the Training.

The Recipient understands that by signing the Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the Recipient understands that during the monitoring of the Agreement, if necessary, OCR may visit the recipient, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the recipient has fulfilled the terms of the Agreement.

The Recipient understands that OCR will not close the monitoring of this Agreement until OCR determines that the Recipient has demonstrated compliance with all the terms of this Agreement and is in compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulations at 34 C.F.R. Part 104; and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulations at 28 C.F.R. Part 35, which were at issue in this review.

The Recipient understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the Recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

**EXECUTION:**

This Agreement will become effective immediately upon the signature of WPS's authorized representative below.

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[Insert Signatory's name]  
[Insert Signatory's title]  
Douglas County School District

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Date

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[Insert Signatory's name]  
[Insert Signatory's title]  
Platte River Academy

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Date