



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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SEATTLE, WA 98174-1099

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September 5, 2018

Dr. Brenda McDonald  
Principal/Chief Executive Officer  
811 East Sprague Avenue, Suite A  
Spokane, Washington 99202

Re: PRIDE Prep Alternative Learning School  
OCR Reference No. 10181102

Dear Dr. McDonald:

This letter is to inform you of the disposition of the above-referenced complaint filed against Pride Prep Alternative Learning School (the school) with the U.S. Department of Education (Department), Office for Civil Rights (OCR). The complaint alleged that the school discriminated against a student, on the basis of disability, when the school revoked its offer of admission to the student after learning about her disability.

As explained below, prior to completion of OCR's investigation, the school expressed an interest in voluntarily resolving the complaint and signed the enclosed Voluntary Resolution Agreement (Agreement) to address the complaint allegation.

OCR investigated this case under the authority of Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II). The regulation implementing Section 504 at 34 C.F.R. Part 104 prohibits discrimination on the basis of disability in programs and activities that receive federal financial assistance. The regulation that implements Title II at 28 C.F.R. Part 35 prohibits discrimination on the basis of disability by public entities. The school is a recipient of federal financial assistance from the Department and is a public entity. Therefore, it is required to comply with these laws.

OCR's investigation to date indicates that the student in question is a qualified person with a disability. In May 2017, the student's parent (parent) submitted an application to the school for the student to attend the 2017-2018 school year there as a 7<sup>th</sup> grader. The application did not reference the student's disability. In September 2017, the school informed the parent that the student had been accepted into the school. The school sent

the parent an enrollment packet. The enrollment packet requested information about the student's academic needs, and the parent provided information about the student's disability. On September 25, 2017, after reviewing the student's completed enrollment packet, the school informed the parent that it did not believe it could accommodate the student's disability-related academic needs. On October 3, 2017, the school withdrew its offer of admission to the student.

In accordance with Section 302 of the OCR *Case Processing Manual*, a complaint may be resolved at any time when, prior to the point OCR issues a final determination, the recipient expresses an interest in resolving the complaint allegations and OCR determines that it is appropriate to resolve them with an agreement. In light of the school's willingness to resolve the allegation comprehensively, OCR determined that entering into a voluntary resolution agreement was appropriate. Subsequent discussions with the school resulted in the school signing the enclosed Agreement, which, when fully implemented, will resolve the allegation in the complaint.

OCR will monitor the implementation of the Agreement and will close the complaint when OCR determines that the terms of the Agreement have been satisfied. The first report under the Agreement is due by September 18, 2018.

This concludes OCR's investigation of the complaint. The complainant may have the right to file a private suit in federal court regardless of OCR's determination.

Please be advised that the 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 individual may file another complaint alleging such treatment.

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 OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

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Thank you for the cooperation that you and your staff extended to OCR staff in resolving this complaint. If you have any questions, please feel free to contact David Kauffman, attorney, by telephone at (206) 607-1603 or by e-mail at [david.kauffman@ed.gov](mailto:david.kauffman@ed.gov).

Sincerely,

Kelli Lydon Medak  
Supervisory Attorney

Enclosure: Voluntary Resolution Agreement

cc: Hon. Chris Reykdal, Office of Superintendent of Public Instruction