

**RESOLUTION AGREEMENT**  
**Arapahoe Charter School**  
***OCR Case No. 11-15-1162***

Arapahoe Charter School (the School) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-15-1162. This Agreement does not constitute an admission by the School of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.

1. By April 29, 2016, the School will develop and disseminate a memorandum to all instructional staff and administrators at the School informing them of the School's policies and obligations under Section 504, Title II, and IDEA to identify and evaluate students who need or are believed to need special education and/or related aids and services. The memorandum will reference the School's policies related to identification and evaluation as well as policies prohibiting discrimination based on disability and provide a reminder of the School's obligation not to discriminate on prohibited bases, including disability.

Reporting Requirements:

- a. By April 22, 2016, the School will provide for OCR's review and approval a draft of the memorandum.
  - b. Within 5 days of the dissemination of the memorandum, the School will provide OCR with a copy of the final memorandum and a list of staff who received the memorandum.
2. By May 16, 2016, and at the beginning of every school year, the School will develop and disseminate a memorandum to all parents of students at the School informing them of the School's above-mentioned policies. The memorandum will reference the School's policy prohibiting discrimination based on disability and will include a summary of the grievance procedures to disability-related discrimination concerns and information about procedural safeguards at Section 504 and IEP meetings.

Reporting Requirements:

- a. By May 9, 2016, the School will provide for OCR's review and approval a draft of the memorandum.
  - b. Within 5 days of the dissemination of the memorandum, the School will certify that the memorandum was sent to all parents.
3. By September 30, 2016, training will be provided to all School administrators, teachers and staff on application of the School's policy as it relates to identification and placement of students with disabilities to ensure that the policy is applied uniformly and in a manner that complies with Section 504 and Title II. The training will emphasize the School's obligations to identify and evaluate students who need or are believed to need special

education and/or related aids and services. The training will also address a review of the School's grievance procedures, including: a discussion of the applicability of the grievance procedures to disability-related discrimination concerns, how such concerns should be processed, and the provision of information about procedural safeguards at Section 504 and IEP meetings.

Reporting Requirements:

- a. Ten days in advance of the training, the School will provide for OCR's review and approval a draft of the training materials, including proposed agenda and handouts.
  - b. Within 10 days of the completion of the training session(s), the School will provide a copy of the training agenda, a sign in sheet of attendees, and copies of any documents distributed during the training.
4. Should the Student's parents wish to re-enroll him in the School, the School will convene a meeting of knowledgeable staff to determine the Student's placement and will develop an appropriate plan, such as an Individualized Education Program (IEP), to meet the Student's individualized needs based on its evaluation of the Student and consideration of any information submitted by the Student's parents. The determination of the Student's placement and development of an appropriate plan for the provision of services will comply with the requirements of 34 C.F.R. § 104.35(c), including that participants involved in the placement decision regarding the Student include individuals knowledgeable about the Student, including his disabilities, the meaning of any evaluation data, and available placement options.

Reporting Requirement:

Within two weeks after the Student were to enroll in the School, the Division will submit for OCR's review and approval documentation verifying the meeting and decision-making of School staff in determining the Student's placement and development of an appropriate plan for the Student, including a copy of the plan that was developed. The documentation will also include verification that the process for determining the Student's placement and development of a plan met the requirements of 34 C.F.R. § 104.35(c). OCR will review the documentation to ensure that the District met the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35 and 104.36, in making these determinations.

The School understands that OCR will not close the monitoring of this Agreement until OCR determines that the School has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 and Title II at 34 C.F.R. Part 104 and 28 C.F.R. Part 35.

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

the terms of this Agreement and is in compliance with the regulation implementing Section 504 and Title II at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which was at issue in this case.

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

By: \_\_\_\_\_/S/\_\_\_\_\_ Date: \_\_\_\_\_4/14/2016\_\_\_\_\_

Dr. Dennis Sawyer