



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

400 MARYLAND AVENUE, SW  
WASHINGTON, DC 20202-1475

REGION XI  
NORTH CAROLINA  
SOUTH CAROLINA  
VIRGINIA  
WASHINGTON, D.C.

December 19, 2013

Mr. Jason Cole, Principal  
Thomas Jefferson Classical Academy  
1110 South Broadway  
Forest City, NC 28043

RE: OCR Complaint No. 11-13-1311  
Complaint Resolution Letter

Dear Mr. Cole:

This letter is to inform you of the disposition of the complaint that was filed with the District of Columbia Office of the Office for Civil Rights (OCR), within the U.S. Department of Education (the Department), on August 28, 2013, against the Thomas Jefferson Classical Academy (the Academy), a public Charter School in North Carolina. The complaint was filed by a parent (hereinafter the Complainant) on behalf of her daughter (the Student), who previously attended the Academy, XXXX. The Complainant alleges that the Academy discriminated against the Student during the 2012-2013 school year based on disability, XXXX by failing to provide the Student a free appropriate public education (FAPE).

OCR initiated an investigation of the complaint pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), and its implementing regulation, which prohibit discrimination based on disability in any program or activity that receives Federal financial assistance from the Department. OCR is also a designated agency with authority to enforce Title II of the Americans with Disabilities Act of 1990 (Title II) and its implementing regulation, which prohibit discrimination on the basis of disability by public education systems and institutions regardless of whether they receive FFA from the Department. Because the Academy receives Federal financial assistance from the Department and a public education system, we have jurisdiction over it pursuant to Section 504, Title II and their implementing regulations.

During OCR's investigation of this complaint, the Academy expressed a willingness to resolve the complaint. Pursuant to Section 302 of OCR's Case Processing Manual, OCR discussed resolution options with the Academy. On December 19, 2013, the Academy signed the enclosed agreement which, when fully implemented, will resolve the concerns identified regarding this complaint. The provisions of the agreement are aligned with the issues raised by the

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by fostering educational excellence and ensuring equal access.*

Complainant and information obtained during the course of OCR's investigation, and are consistent with the applicable regulations. OCR will monitor implementation of the agreement.

OCR reminds the Academy that it may not harass, coerce, intimidate, or discriminate against any individual because that individual filed a complaint or participated in the complaint resolution process. If this happens, an individual may file another complaint alleging such treatment. Also, 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 seek to protect, to the extent provided by law, personal information that, if released, could constitute an unwarranted invasion of privacy.

This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. The Complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

We appreciate the patience and cooperation extended by the Academy. If you have any questions, please feel free to contact April Byrd at (202) 453-5903 or, via email at, [April.Byrd@ed.gov](mailto:April.Byrd@ed.gov) or Lorraine Chatman, at (202) 453-5904 or, via email at, [Lorraine.Chatman@ed.gov](mailto:Lorraine.Chatman@ed.gov).

Sincerely,

/s/

Dale Rhines (Acting)  
Team Leader, Team III  
District of Columbia Office  
Office for Civil Rights