



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION XV

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CLEVELAND, OH 44115

REGION XV
MICHIGAN
OHIO

March 31, 2015

Dr. Samuel Ison
Superintendent
Middletown City Schools
1 Donham Plaza, 4th Floor
Middletown, Ohio 45042

Re: OCR Docket #15-14-1313

Dear Dr. Ison:

This letter is to inform you of the disposition of the above-referenced complaint filed with the U.S. Department of Education (the Department), Office for Civil Rights (OCR), against the Middletown City Schools (the District) on September 9, 2014, alleging discrimination on the basis of disability. Specifically, the complaint alleged that the District's Middletown High School (the high school)'s front entrance is not accessible to individuals with mobility impairments. The complaint also alleged that the District's Middletown Middle School (the middle school)'s main entrance and auditorium entrance are not accessible to individuals with mobility impairments.

OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104 (Section 504). Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance from the Department. OCR is also responsible for enforcing Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation, 28 C.F.R. Part 35 (Title II). Title II prohibits discrimination on the basis of disability by public entities. As a recipient of Federal financial assistance from the Department and as a public entity, the District is subject to these laws. Accordingly, OCR had jurisdiction to investigate this complaint.

Based on the complaint allegations, OCR investigated whether qualified persons with disabilities are being denied the benefits of, excluded from participation in, or otherwise subjected to discrimination under any District program or activity because the District's

facilities are inaccessible to or unusable by persons with disabilities, in violation of the regulations implementing Section 504 at 34 C.F.R. §§ 104.21-23 and Title II at 28 C.F.R. §§ 35.149-151.

Background

This complaint was filed during the 2014-2015 school year on behalf of a student with a disability (the Student) who is attending the District's only high school. xxx xxxxxxx
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xxx xxx xxx xxxxxxxxxxx xxxxxxxxxxx xxx xxxx xxxxxxx xxxxxxxxxxx The District's high
school is a two-story building that serves students from ninth grade through twelfth
grade.

XXX-PARAGRAPH REDACTED---X

Prior to attending the high school, the Student attended the District's sole middle school, which serves seventh- and eighth-grade students. The complaint also alleged that the front entrance of the middle school and the main entrance to the auditorium in the middle school present similar challenges for students and members of the public with mobility impairments.

OCR's investigation of the complaint included interviews with the Student's parent, a review of data provided by the District, and a January 5, 2015, onsite visit to the District. After a careful review of the information obtained during the investigation, OCR has determined that the District's high school's front entrance and middle school's main entrance and auditorium entrance do not meet the accessibility requirements of Section 504 and Title II. However, the District signed the enclosed resolution agreement that, once implemented, will fully address the complaint allegations in accordance with Section 504 and Title II. A summary of the applicable legal standards, OCR's investigation, the bases for OCR's determinations, and the terms of the agreement are presented below.

Applicable Regulatory Standards

The Section 504 implementing regulation at 34 C.F.R. § 104.4(a) provides that no qualified person with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that benefits from or receives Federal financial assistance. Title II's implementing regulation contains a similar provision for public entities at 28 C.F.R. § 35.130(a). Prohibited discrimination by a recipient or public entity includes denying a qualified person with a disability the opportunity to participate in or benefit from the aids, benefits, or services offered by that recipient or public entity; affording a qualified person with a disability an opportunity to participate in or benefit from aids, benefits, or services that is not equal to that afforded others; and providing a qualified person with a disability aids, benefits, or services that are not as effective as those

provided to others. 34 C.F.R. § 104.4(b)(1)(i)-(iv); 28 C.F.R. § 35.130(b)(1)(i)-(iv). Pursuant to Section 504, recipient school districts must also provide nonacademic and extracurricular services and activities in such a manner as is necessary to afford students with disabilities an equal opportunity for participation in such services and activities. 34 C.F.R. § 104.4(b)(2).

The Section 504 and Title II regulations also state that no qualified person with a disability shall, because a covered entity's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any of the entity's programs or activities. 34 C.F.R. § 104.21; 28 C.F.R. § 35.149. The regulations reference standards for determining whether an entity's programs, activities, and services are accessible to individuals with disabilities, depending upon whether the facilities are determined to be existing construction, new construction, or alterations. The applicable standard depends upon the date of construction or alteration of the facility.

For existing facilities, the regulations require an educational institution to operate each service, program, or activity so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities. This standard does not necessarily require that the institution make each of its existing facilities or every part of a facility accessible if alternative methods are effective in providing overall access to the service, program, or activity. 34 C.F.R. § 104.22(a); 28 C.F.R. § 35.150(a). Under the Section 504 regulation, existing facilities are those for which construction began before June 3, 1977. Under Title II, existing facilities are those for which construction began on or before January 26, 1992.

To provide program access in existing facilities, an institution may use such means as redesign of equipment, reassignment of classes or other services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of health, welfare, or other social services at alternative accessible sites, alteration of existing facilities, construction of new facilities, or any other methods that result in making its program or activity accessible to persons with disabilities. A recipient is not required to make structural changes in existing facilities where other methods are effective in providing program access. However, in choosing among available methods for providing program access, the institution is required to give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate. 34 C.F.R. § 104.22(b); 28 C.F.R. § 35.150(b). Where programs or activities cannot or will not be made accessible using alternative methods, structural changes may be required in order for recipients to comply.

The Section 504 regulation also requires a recipient to adopt and implement procedures to ensure that interested persons can obtain information as to the existence and location of services, activities, and facilities in existing construction that are accessible to and usable by persons with disabilities. 34 C.F.R. § 104.22(f).

For new construction, the facility or newly constructed part of the facility must itself be readily accessible to and usable by persons with disabilities. 34 C.F.R. § 104.23(a); 28 C.F.R. § 35.151(a). Under the Section 504 regulation, a facility will be considered new construction if construction began (ground was broken) on or after June 3, 1977. Under the Title II regulation, the applicable date for new construction is January 26, 1992.

With regard to alterations, each facility or part of a facility that is altered by, on behalf of, or for the use of an institution after the effective dates of the Section 504 and/or Title II regulation in a manner that affects or could affect the usability of the facility or part of the facility must, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by persons with disabilities. 34 C.F.R. § 104.23(b); 28 C.F.R. § 35.151(b).

For an entity covered by Section 504, new construction and alterations after June 3, 1977, but prior to January 18, 1991, must conform to the American National Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped (ANSI). New construction and alterations between January 18, 1991, and January 26, 1992, must conform to the Uniform Federal Accessibility Standards (UFAS). Compare 45 C.F.R. § 84.23(c) (1977) and 34 C.F.R. § 104.23(c) (1981), with 34 C.F.R. § 104.23(c) (2012). New construction and alterations after January 26, 1992, but prior to March 15, 2012, must conform to UFAS or the 1991 Americans with Disabilities Act Standards for Accessible Design (the 1991 ADA Standards) or equivalent standards. However, the Section 504 regulation provides, at 34 C.F.R. § 104.23(c), that departures from particular technical and scoping requirements of UFAS by the use of other methods are permitted where substantially equivalent or greater access to and usability of the building is provided.

The U.S. Department of Justice (DOJ) published revised regulations for Titles II and III of the ADA on September 15, 2010. These regulations adopted revised enforceable accessibility standards called the 2010 ADA Standards for Accessible Design (the 2010 ADA Standards). The 2010 ADA Standards went into effect on March 15, 2012, although entities had the option of using them for construction or alterations commencing September 15, 2010, until their effective date. For new construction and alterations as of March 15, 2012, public entities must comply with the 2010 ADA Standards.

In reviewing program access for an existing facility, the ADA Standards or UFAS may also be used as a guide to understanding whether individuals with disabilities can participate in the program, activity, or service.

The Title II regulation states that, where structural changes in facilities were to be undertaken to comply with the program accessibility obligations under 28 C.F.R. § 35.150, the changes were to be made within three years of January 26, 1992, but as expeditiously as possible. 28 C.F.R. § 35.150(c). Public entities employing 50 or more persons were required to develop, within six months of January 26, 1992, a transition plan setting forth the steps necessary to complete such changes. Public entities

were required to provide an opportunity to interested persons, including individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan was required to be made available for public inspection. Transition plans are required to, at a minimum:

- (i) identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- (ii) describe in detail the methods that will be used to make the facilities accessible;
- (iii) specify the schedule for taking the steps necessary to achieve compliance with 28 C.F.R. § 35.150 and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
- (iv) indicate the official responsible for implementation of the plan.

DOJ's "Title II Technical Assistance Manual" provides further guidance on the self-evaluation and transition plan requirements. The manual states that DOJ expected that many public entities would reexamine all their policies and practices even if they had already completed a self-evaluation under Section 504, as programs and functions may have changed significantly since the Section 504 self-evaluation was completed; actions that were taken to comply with Section 504 may not have been implemented fully or may no longer be effective; and Section 504's coverage has been changed by statutory amendment.

DOJ's manual further instructs that a public entity's self-evaluation identify and correct those policies and practices that are inconsistent with Title II's requirements, and that, as part of the self-evaluation, a public entity should:

- 1) identify all of the public entity's programs, activities, and services; and
- 2) review all the policies and practices that govern the administration of the public entity's programs, activities, and services.

This includes, among other things, examining each program to determine whether any physical barriers to access exist and identifying steps that need to be taken to enable these programs to be made accessible when viewed in their entirety.

Summary of OCR's Investigation and Analysis

The District reported to OCR that the high school was constructed in 1970, and that no renovations have occurred since that time. The District reported to OCR that the middle school was constructed in 1923 and the annex, which includes the auditorium and the entrance to that auditorium, was constructed in 1953. Because all of the facilities were

constructed prior to June 3, 1977, and the District did not report any renovations to the buildings that would fall under the new construction or alteration requirements, OCR determined that the buildings constitute existing facilities under Section 504 and Title II.

The District reported to OCR that a bond issue had recently passed in the District and with that money the District plans to combine the middle school and high school on the campus where the high school currently stands. District officials have reported that, beginning with the 2015-2016 school year, the high school will undergo significant modifications and a new middle school will be built.

The District asserted through its initial data response to OCR that its buildings are accessible and that “provisions are made on an as needed basis when concerns arise.” OCR conducted an onsite visit in January 2015 to assess the accessibility of the two schools’ entrances and the entrance to the middle school auditorium, and, in the event of significant barriers to accessibility, to evaluate the potential for program accessibility at the current sites. As summarized below, OCR’s site visit confirmed that the main entrances to the high school and the middle school, as well as the entrance to the middle school auditorium, are inaccessible to individuals with mobility impairments.¹

- **Alleged Inaccessible High School Entrance²**

The District’s high school is located at 601 North Breiel Boulevard in Middletown, Ohio. According to the high school’s website, in addition to day-to-day school operations, the high school hosts, among other things, parent events, musical performances, and sporting events, which are open to the public.

With respect to the high school’s main entrance, OCR observed that the floor and ground surfaces leading to the main entrance do not require the use of stairs, and are level, stable, firm, and slip-resistant.

- **Exterior Entrance Doors**

The main entrance to the building has two sets of exterior doors. As a visitor faces the building from the outside, the set of exterior doors on the left does not have any exterior handles (non-exterior handle doors). As a visitor faces the building from the outside, the set of exterior doors on the right has one exterior handle (exterior handle doors). These doors are neither equipped with any powered opening devices nor do they otherwise appear to have been adapted for accessibility.

OCR observed that there is an uneven, jagged lip in front of the exterior handle doors. The 2010 ADA Standard 404.2.5 requires that thresholds, if provided at doorways, must be a maximum of ½ inch in height. OCR staff could not get a precise measurement of the

¹ OCR used the 2010 ADA Standards as a guide with respect to the necessary measurements of the entrance doors.

² During its onsite, OCR was not directed to any other entrances used for persons with mobility impairments.

lip due to its unevenness. As a visitor faces the building from the outside, there is another threshold in front of the non-exterior handle doors that appears like a small ledge in front of those doors. OCR determined that the ledge measured 1½”, which does not meet the threshold standard, 2010 ADA Standard 404.2.5, referenced above.

OCR found that each of the exterior handle doors is too narrow, as they measure 30 inches across from the handle to the clasp/catch of both doors, which does not meet 2010 ADA Standard 404.2.3, which requires that door openings provide a minimum clear width of 32 inches.

OCR also found compliance concerns with respect to the exterior handle doors' hardware. Specifically, the 2010 ADA Standard 404.2.7 recommends that door hardware be operable with a closed fist or a loose grip, accommodating the greatest range of users. Hardware requiring simultaneous hand and finger movements requires greater dexterity and coordination, and is not recommended. OCR was unable to fit a closed fist through the handle on the exterior handle doors. Additionally, OCR found that the hardware on the exterior handle doors is too low to the ground, as the door handle measures 32 inches to 37 inches above the ground. The 2010 ADA Standard 404.2.7 requires that operable parts of door hardware, including handles, pulls, latches, and locks be 34 inches minimum and 48 inches maximum above the finish floor or ground.

Finally, with respect to the exterior handle doors, OCR observed that these doors did not have at least 18 inches of clear wall space on the pull side of the door next to the handle, as set forth in 2010 ADA Standard 404.2.4.1, as there is a wall on the latch-side of each of the doors.

Once a person enters the building through the exterior handle doors, there is a vestibule and then another set of doors (the interior doors) before the main lobby of the building. The 2010 ADA Standard at 404.2.6 requires that the distance between two hinged or pivoted doors in a series be at least 48 inches plus the width of the doors swinging into the space. OCR did not find any compliance concerns with respect to the clear space, as OCR observed that there is more than 48 inches of clear opening space between the exterior doors and the interior doors.

○ **Interior Entrance Doors**

The interior doors, which have identical dimensions as the exterior handle doors discussed above, are similarly too narrow, and are equipped with similar pull handles as the exterior doors.

OCR found that the amount of force necessary to open three of the four interior doors was too great. Specifically, 2010 ADA Standard 404.2.9 requires that the force for pushing or pulling open an interior hinged door or gate other than a fire door must be no more than 5 pounds. Here, OCR found that three of the four doors required more than 5 pounds of force in order to open each of the doors.

Similar to the compliance concern identified with respect to the exterior entrance doors, above, OCR found that the interior doors also have no maneuvering clearance space beyond the latch side of the door because they are each bordered by a wall on the latch side of the door. As noted above, 2010 ADA Standard 404.2.4.1 requires that a door that pulls open must have at least 18 inches of clearance space beyond the latch side of the door.

The 2010 ADA Standards at 206.4.1 require at least 60% of all public entrances to comply with the accessibility standards set forth in 2010 ADA Standard 404.

Based on the above-identified compliance concerns and the information obtained regarding the Student's significant difficulty in entering the building with the assistance of his one-on-one aide, OCR concludes that the District has failed to provide program access to the Student and individuals with mobility impairments to the District's programs and activities at its high school, due to the inaccessibility of the high school's main entrance doors, in violation of Section 504 and Title II.

- **Alleged Inaccessibility of the Middle School's Main Entrance**

The District's middle school is located at 1415 Girard Avenue in Middletown, Ohio. According to the middle school's principal and the District's website, in addition to the seventh- and eighth-grade school day-to-day operations, the middle school also hosts school plays, musical performances, and athletic events, which are open to the public.

In order to enter the middle school's main entrance from Girard Avenue, visitors must climb multiple sets of stairs. During its onsite, OCR staff did not find any signage indicating the existence of an alternative entrance that is accessible to persons with mobility impairments.

The middle school's principal explained to OCR during the onsite that students with disabilities who cannot climb the stairs to the main entrance are dropped off in a back area of the middle school. He explained that, at the beginning of each school year, school personnel show parents of students with mobility impairments where to go to drop their children off in the morning and pick them up in the afternoon. According to the principal, parents and some buses drive to a parking lot behind the middle school where there is second entrance that leads into the middle school's basement, the floor on which the middle school's gymnasium can be accessed and where students can either climb stairs or take an elevator to access other levels in the middle school where classes are located.

OCR observed that the doors to this second entrance were locked during the time of OCR's on-site. The principal told OCR that parents or members of the public with mobility impairments know to call the middle school's administrative office to be given access into the building. As noted above, however, OCR did not observe any signage at the middle school, including at the middle school's main entrance that provided the

contact information for the middle school's administrative office or explained how to obtain access to the building.

Accordingly, as the middle school's main entrance is entirely inaccessible due to the need to traverse stairs and, as the District fails to provide any information notifying the public of the location of its second entrance, which was identified to OCR as an accessible entrance, and which OCR understands to be kept locked at all times, OCR concludes that the District has failed to provide program access to persons with mobility impairments to all programs being provided at the District's middle school, in violation of Section 504 and Title II.

- **Alleged Inaccessibility of the Entrance to Middle School's Auditorium**

The middle school's principal told OCR that the middle school's auditorium is used for school plays, music program performances, and school assemblies. With respect to the accessibility of the entrance to the middle school's auditorium, the principal explained to OCR that there is a street entrance to the auditorium that is accessible to the public and to all persons in the school, located on the east side of the middle school. However, the principal told OCR that students generally do not use this outdoor street entrance to access the auditorium; rather, during the school day, most of the middle school students and staff access the auditorium from the interior of the middle school through a main entrance. In order to access the auditorium's main entrance, students and staff must traverse a flight of stairs that lead to the entrance. These stairs are not equipped with any powered devices and do not appear to have been adapted for accessibility.

OCR observed that there is no accessible route for students with mobility impairments to access the middle school's auditorium. During the onsite, the principal showed OCR the route that students with mobility impairments use to enter the auditorium, which requires these students to: (1) take the elevator to the middle school's first floor, (2) traverse through two doors that were propped open on the day of OCR's onsite that lead into the cafeteria, (3) traverse through the cafeteria and through two additional doors that lead outside, (4) traverse a small parking lot that OCR observed was filled with potholes, (5) cross a small, uneven, grassy area, (6) continue down a short path, and then (7) reach two doors that were locked at the time of OCR's onsite, that allow the students to reenter the building, just outside the auditorium.

OCR also found that the auditorium entrance used for individuals with mobility impairments was inaccessible. Although the door at this auditorium entrance is sufficiently wide (33 inches wide, which meets the requirement set forth in 2010 ADA Standard 404.2.3 that requires door openings provide a minimum clear width of 32 inches), OCR observed that the hardware on the door is not usable, as it inappropriately requires simultaneous hand and finger movements, as discussed above.

Accordingly, based on all of the above information, OCR finds that the District does not provide an accessible route or entrance to the middle school's auditorium for individuals with mobility impairments and, as a result, fails to provide program access to individuals

with mobility impairments with respect to the middle school's programs and activities occurring in the auditorium, in violation of Section 504 and Title II.

Additional Issue Raised During OCR's Investigation

During the course of the investigation, the District provided information demonstrating that the xxxxxxxx xxxxxx had made multiple complaints xx xxxxxxxx xxxx to District administrators, including the high school assistant principal, the District's business manager, and the District's student services coordinator regarding the inaccessibility of the high school's front entrance xxx xxx xxxxxxxx and individuals with mobility impairments. According to the information provided by the District, the District failed to respond to the complaints. The District's business manager told the xxxxxxxx xxxxxx that the District was planning to remodel the building in the next few years and would "keep the line of communication open with her" regarding the xxxxxxxx needs. xx xxxxxx xxxxxx xxxxx xxx xxxxxxxxxxx xxxxxx xxxxx x xxxxxxxxxxx xx xxx xxxxx xx xxxxxxxxxxx xxxxxxxxxxx xxxxx xxxxx xxxxxxx xxx xxx xxxxx xxxxx xxx xxxxxx xx xxx xxx xx xxx xxx xx xxxxxx xxx xxx xxxxxxxxxxx xxxxx xx xxxxx xxx xxxxxxxxxxx

This raises the issue of whether the District adopted grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by the Section 504 and Title II regulations, as required by the Section 504 implementing regulation at 34 C.F.R. § 104.7(b) and the Title II implementing regulation at 28 C.F.R. § 35.107(b). The Section 504 implementing regulation at 35 C.F.R. § 104.7(b) states that a recipient that employs fifteen or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504. The Title II regulation at 28 C.F.R. § 35.107(b) provides that a public entity that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II.

When evaluating a recipient's grievance procedures under Section 504 and Title II, OCR considers a number of factors to determine if the grievance procedures meet regulatory requirements, including whether the procedures provide for:

1. Notice of the procedures, including where complaints may be filed.
2. Application of the procedure to complaints alleging discrimination carried out by employees, other students, or third parties.
3. Adequate, reliable, and impartial investigation of complaints, including the opportunity to present witnesses and other evidence.
4. Designated and reasonably prompt timeframes for the major stages of the complaint process.

5. Notice to the parties of the outcome of the complaint.
6. An assurance that the school will take steps to prevent recurrence of any harassment and to correct discriminatory effects on the complainant and others, if appropriate.

OCR previously required the District to revise its Section 504 grievance procedures, in OCR Docket #15-10-1005. The revised grievance procedures were approved by OCR by letter dated March 21, 2013, and are available on the District's website.

Here, OCR finds that the xxxxxxxxx xxxxxx made multiple complaints to District officials regarding the inaccessibility of the xxxx xxxxxxxxx xxxx xxxxxxxxx for the xxxxxxx and other individuals with mobility impairments. Thus, the District had an obligation to respond to the complaints utilizing its approved Section 504 grievance procedures. The evidence obtained, however, shows that the District failed to investigate or otherwise appropriately respond to the complaints, xx xxxxxxx xxx xxxxxxxxx xxxxxxx xxxx xxx xxx xxxxxxxxx xx xxxx xxx xxxxxxxxx xxxxxxx xxx xxxxxxxxx xxx xx xxxxxxxxxxxxxx xxxxxxxxx. Accordingly, OCR has determined that the evidence is sufficient to support that the District failed to respond to disability discrimination complaints, in violation of Section 504 and Title II.

Resolution and Conclusion

On March 30, 2015, the District provided OCR with the enclosed resolution agreement, signed March 23, 2015, which, once implemented, will fully address OCR's findings in accordance with Section 504 and Title II. In summary, the resolution agreement requires the District to modify the high school and middle school facilities, conduct a self-evaluation, develop a transition plan, and provide for program accessibility in compliance with the 2010 ADA Standards. The resolution agreement also requires the District to investigate and notify the xxxxxxxxx xxxxxx in writing of the outcome of its investigation of xxx complaints about the accessibility of the high school.

This concludes OCR's investigation of the complaint and should not be interpreted to address the District's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. 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.

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 harmed individual may file another complaint alleging such treatment.

The complainant may 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. 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.

The OCR contact person for the monitoring of the agreement is xxx xxxxx xxxxxxxxxxxx who may be reached at (216) 522-xxxx or by e-mail at xxxxxxxxxxxxxxxxxx@ed.gov. We look forward to receiving the District's first monitoring report, which should be directed to xxx xxxxxxxxxxxx. Should you wish to submit the report electronically, you may do so at OCRCleMonitoringReports@ed.gov. If you have questions regarding this letter, please contact Ms. xxxxx xxxxx Supervisory Attorney/Team Leader, at (216) 522-xxxx or by e-mail at xxxxxxxxxxxxxxxxxxxxxxxx

Sincerely,

/s/

Meena Morey Chandra
Director

Enclosure

cc: Tanya S. Davis, Ph.D.
Senior Director of Student Services