



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION I
5 POST OFFICE SQUARE, 8th FLOOR
BOSTON, MASSACHUSETTS 02109-3921

April 28, 2021

Via email

Kymerly Pinder, President

c/o General Counsel Gina Yarbrough: gyarbrough@massart.edu

Re: Complaint No. 01-17-2226
Massachusetts College of Art and Design

Dear President Pinder:

The U.S. Department of Education (Department), Office for Civil Rights (OCR) has completed its investigation of the complaint filed against Massachusetts College of Art and Design (the College). A former student (Complainant) alleged that the College failed to promptly and equitably respond to his XXX complaint that a professor sexually harassed him (Allegation 1). The Complainant also alleged that he was subsequently retaliated against, but that the College failed to promptly and equitably respond to his XXX complaint of retaliation, and also failed to address ongoing concerns of alleged harassment during the resolution process (Allegation 2).

During this investigation, OCR reviewed documents provided by the Complainant and the College, including contemporaneous emails, case file materials, and investigation reports. OCR also spoke with the Complainant several times and interviewed the College's then-Director of Civil Rights and Diversity.

For the reasons explained below, OCR found insufficient evidence to support Allegation 1, but identified questions and concerns about Allegation 2. Before OCR completed its investigation on Allegation 2, the College expressed a willingness to resolve it, and OCR determined that a resolution pursuant to Section 302 of OCR's Case Processing Manual (CPM) was appropriate.

JURISDICTION

OCR enforces Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. Section 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any program or activity receiving federal financial assistance from the Department.¹ Because the College receives federal financial assistance from the Department, OCR has jurisdiction over it pursuant to Title IX.

¹ An amended Title IX regulation went into effect on August 14, 2020 and can be viewed [here](#). However, the Title IX regulation in effect at the time of the underlying events associated with the above-referenced complaint serves as the basis for OCR's determination in this matter, which is available [here](#). For more information about Title IX, including the new Title IX regulation and related resources, visit OCR's website at <https://www2.ed.gov/policy/rights/guid/ocr/sexoverview.html>.

LEGAL STANDARDS

The regulation implementing Title IX, at 34 C.F.R. § 106.31(a), states as follows: “Except as provided elsewhere in this part, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient which receives Federal financial assistance.”

The Title IX regulation contains a number of procedural requirements, including a requirement under 34 C.F.R. § 106.8(b) for recipients to adopt and publish procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any actions prohibited by Title IX and its implementing regulation. There is no fixed time frame to determine whether a resolution has been prompt; rather, OCR will evaluate a recipient’s efforts under the circumstances. An equitable response requires a trained investigator to analyze and document the available evidence to support decisions, and any rights or opportunities that a recipient makes available to one party during an investigation should be made available to the other party on equal terms.

Sexual harassment is a form of sex discrimination prohibited by Title IX. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, such as sexual assault or acts of sexual violence.

A school should take steps to stop further harassment and to prevent any retaliation against the person who made the complaint (or was the subject of harassment) or against those who provided information as witnesses. At a minimum, the school’s responsibilities include making sure that the harassed students know how to report any subsequent problems, conducting follow-up inquiries to see if there have been any new incidents or any instances of retaliation, and responding promptly and appropriately to address continuing or new problems.

FINDINGS OF FACT TO DATE

The Complainant was enrolled in the College’s XXXXXXXXXX department in the XXX school year. During a class event on or around XXXXXXXX the Complainant informed his professor (Professor) that he kept a folding chair nearby to use “intermittently” due to his XXX. According to the Complainant, the Professor “joked that [he] was ‘using the chair intimately.’” The Complainant posted about this incident on the
XX
XXXXXX

According to the Complainant, the Professor phoned him the next day and berated him after seeing his post. The Complainant filed a XXX against her the following day, and according to the report, an XXX agreed to inform the Professor not to contact him. Several days later, the Complainant met with the XXX Department Chair to discuss his request to take independent study, and subsequently unregistered from two XXX courses that were taught solely by either the Professor or the XXX Department Chair, claiming that the XXX Department Chair had

pressured him to do so.²

Shortly afterwards, on XXX, the Professor wrote to the Director of Civil Rights and Diversity and expressed that she wished to file a grievance against the Complainant for fabricating the incident, and noted that this was not the first time he had behaved inappropriately with a staff member. The Director of Civil Rights and Diversity forwarded this message to the Complainant and agreed to meet with him several days later. According to contemporaneous emails, the Complainant recounted his concerns about the Professor, focusing on their contentious phone call.

The Complainant alleges that at this meeting, the Director of Civil Rights and Diversity was dismissive, stated that the College was obligated to believe staff over students, and threatened that the Complainant could be expelled if he “pushed it.” In an interview with OCR, the Director of Civil Rights and Diversity strongly denied these allegations, explained her role supporting the Complainant to graduate, and recounted her involvement in resolutions where corrective action was taken against staff.

The day after this meeting, the Complainant wrote an email to the Director of Civil Rights and Diversity thanking her for the discussion, and did not mention that she made any of the alleged statements above. At around the same time in XXX, various College staff continued to correspond with the Complainant and the Professor to informally resolve their concerns. On XXX, the Complainant asked in an email whether these issues may raise Title IX concerns. According to emails that OCR reviewed, College staff immediately forwarded the Complainant’s message(s) to the Title IX Support Officer.³

According to the College’s investigative file for this matter, the Title IX Support Officer corresponded with the Complainant the next day, and the Complainant provided her with written information about his concerns about the “chair incident” from late XXX, focusing on the alleged sexual innuendo. The Complainant told OCR that at this time, he also asked the Title IX Support Officer to speak with a named student witness. The Title IX Support Officer interviewed the Professor and the XXX Department Chair several days later, and finalized and issued her written investigation findings to the Complainant, the Professor, and the XXX Department Chair on XXX. In her findings, the Title IX Support Officer found that it was more likely than not that the Professor had used the word “intimately” as alleged, but after considering “a variety of factors,” concluded that a single comment of sexual innuendo in these circumstances would not constitute sexual harassment under the College’s grievance procedures.⁴

The next day, on XXX, several XXX students were scheduled to present their XXX projects XXXXXXXXXXXXXXXXXXXX, and other XXX students were allowed to attend. Several hours

² The Complainant continued to be enrolled in XXX courses that were co-taught by the Professor and the XXX Department Chair.

³ The Title IX Support Officer was formally named as the College’s Title IX Coordinator XXX. The College provided information to OCR indicating that during the timeframe of these incidents, this employee received extensive training in Title IX investigations in 2014 through 2016.

⁴ The report cited the College’s Equal Opportunity, Diversity and Affirmative Action Plan (EO Plan), which addresses the informal and formal resolution procedures for complaints of, e.g., sex discrimination and retaliation, and states that “[e]very attempt will be made” to resolve complaints within 60 days.

before the session was scheduled to begin, all XXX faculty members (among them the Professor and the XXX Department Chair) asked the Associate Vice President for Academic Affairs (Associate VP for Academic Affairs) to bar the Complainant from attending. According to materials that OCR reviewed, the XXX faculty members told the Associate VP for Academic Affairs that the Complainant's presence would be a distraction for the students who were presenting XXX, and that attendance was not required and would not impact the Complainant's grade. The Associate VP for Academic Affairs granted the request, and the XXX Department Chair communicated this to the Complainant.

In late XXX, the Complainant contacted the Title IX Support Officer, who by then had been named the College's Title IX Coordinator (Title IX Coordinator). The Complainant explained that he wanted to file a Title IX complaint due to ongoing retaliation, and corresponded with the Title IX Coordinator over the next few weeks to discuss the allegations and the resolution process. On XXX, the Complainant submitted his revised written allegations, centering around three alleged acts of retaliation:

- i. the Professor berating the Complainant during a phone call in early XXX;
- ii. the XXX Department Chair pressuring the Complainant to drop courses taught solely by herself or the Professor in early XXX; and
- iii. the Associate VP for Academic Affairs authorizing the Complainant to be barred from attending a XXX session of XXX classmates in XXX

The following week, the Title IX Coordinator contacted each of the three respondents listed above to notify them that a complaint was filed and to explain the resolution process, and circulated formal charge letters to the Complainant and each respondent dated XXX. The charge letters each stated that the respondents were accused of violating the College's EO Plan, enclosed the Complainant's written statement of allegations, announced that the investigation would be conducted by an external firm (and provided the investigators' names), included a link to the applicable resolution procedures, included a statement prohibiting retaliation and asking the parties to immediately contact the Title IX Coordinator if they believed they were being targeted for retaliation, and stated that all parties may have a personal advisor to assist them throughout the resolution process.

In XXX, the external investigators attempted to interview the Complainant, but later that month, the Complainant told the Title IX Coordinator that he no longer wished to cooperate with the investigators because he was concerned they would be biased against a male complainant. The Title IX Coordinator offered to identify new staffing for the investigation by appointing internal male investigators, which the College represented to OCR was an ongoing effort to avoid any appearance of bias. The Title IX Coordinator warned that there would be a delay "of several weeks" because the College's male investigators were working on different matters at that time. According to emails that OCR reviewed, the Complainant requested that the College proceed with the option of re-staffing the investigation to an internal male investigator. The Title IX Coordinator subsequently notified the three respondents about this development, including: the Complainant's concerns about impartiality; the Title IX Coordinator's offer to appoint internal male investigators, which the Complainant accepted; and the anticipated delay of "several weeks" due to scheduling conflicts.

Over two months later, in late XXX, the College formally appointed a (male) lead investigator.⁵ The Title IX Coordinator e-mailed all the parties about this action and the resumption of the investigation on XXX. That day and the following business day (XXX), the lead investigator contacted the Complainant and each respondent. In his message, the lead investigator requested the parties to contact him for an interview as soon as possible, reminded them that they may be accompanied by an advisor throughout the process, and explained that he was only available on Mondays and Fridays. The College represented to OCR that the lead investigator was on a reduced, part-time schedule throughout the resolution process due to family leave. The College had identified a new targeted 60-day resolution date of XXX.

According to the College’s investigative file for this matter, the lead investigator interviewed all three respondents in person from XXX, and interviewed the Complainant in mid-XXX. In her interview with the lead investigator, the Professor expressed uncertainty why “investigators [had] changed around two or three times” and expressed concern that the Complainant was allowed to “dictate the process.”

In late XXX, the Complainant twice notified the Title IX Coordinator about ongoing concerns with the XXX department:

- On XXX, the Complainant forwarded a classroom-wide email in which he and the XXX Department Chair had a disagreement about the scheduling of a program. Another XXX faculty member subsequently wrote that the Complainant’s tone was inappropriate and harassing.
- On XXX, the Complainant forwarded an email he had written to a XXX faculty member explaining that he felt ostracized since filing his Title IX complaint.

The Title IX Coordinator responded that the information would be added to his case file. She also asked the Complainant to provide additional information and whether “there [was] anything [she] [could] do to help,” and encouraged him to speak with the lead investigator (whom she cc-ed) “so that he considers all of this as he continues the investigation.” The Complainant responded that he was “still thinking about it and [was] not sure what to decide.”

OCR reviewed emails indicating that the XXX Department Chair and the Title IX Coordinator scheduled a call to discuss the XXX incident email several days later, and that the XXX Department Chair wrote to the Complainant to “apologize for any offending tone” and explained her difficulty communicating with him.

On XXX, the Title IX Coordinator wrote to each party to inform them that the College had completed interviews with all of the primary parties, and that the College was now planning to interview four witnesses (three XXX staff and one XXX student-witness), whom she listed by

⁵ The College provided information to OCR indicating that during the timeframe of these incidents, the lead investigator received extensive training in Title IX investigations in 2014 through 2016.

name.⁶ The Title IX Coordinator invited the parties to provide any questions they would like the investigator(s) to direct to the witnesses. The Title IX Coordinator also wrote that any party can reach out with questions or concerns, and explained that the next stage of the resolution process would be to draft and review the investigation report.

According to the College's investigative file for this matter, the four witness interviews were completed by mid-XXX. Among other topics, the lead investigator asked witnesses about the alleged acts of retaliation in the written complaint, as well as ongoing interactions between XXX faculty members and the Complainant, such as the email disagreement between the Complainant and the XXX Department Chair in late XXX.

From XXX through that summer, the lead investigator drafted and finalized the investigation report. OCR's investigation indicates that the Complainant repeatedly expressed concerns about how long the process was taking and accused the Title IX Coordinator of misconduct and of mishandling the investigation. The College represented that it attempted to address the Complainant's concerns with the resolution process, and provided OCR with emails demonstrating Title IX staff's attempts to meet with the Complainant to discuss his concerns, and the Complainant's request that they stop writing him and asking to meet because he considered this to be harassment.⁷ The College also represented that it replaced the Title IX Coordinator with the Executive Director of Human Resources/Deputy Title IX Coordinator as the reviewing authority for the investigation report, but that the resolution process was prolonged due to the Complainant's "numerous communications and issues [at this stage of the resolution process], which caused further delay by requiring individuals involved in the complaint investigation and review process to review and respond to his concerns."

On XXX, the College circulated its notice of outcome to the parties, and circulated the investigation report the next day. According to these materials, the College found insufficient evidence that retaliation occurred for any of the Complainant's three allegations of retaliation filed in XXX, and explained that it had applied the following legal framework: "To find that the Respondents [engaged in]... retaliation, the investigators would need to find that it was more likely than not that the alleged conduct: (i) occurred; (ii) was adverse in nature; and (iii) was committed in response to the Complainant's participation in the Title IX process." In reaching this conclusion, the report noted that the underlying facts were disputed by the parties. The report also questioned the adversity of the disputed acts and whether there was a causal connection between the disputed acts and the Complainant's earlier complaint of sexual harassment. Finally, the report cited other non-retaliatory explanations for the respondents' actions, such as the respondents' difficult in-person interactions with the Complainant.

⁶ The four witnesses constituted some but not all of the witnesses identified by the Complainant and the respondents in their interviews with the lead investigator. OCR did not identify information indicating that the parties notified the College that they objected to or otherwise sought to revise this list of witnesses.

⁷ OCR also reviewed an email where the Complainant accused the College of ongoing harassment for sending him a medical bill in error in mid-XXX. The Associate Vice President of Student Development/Deputy Title IX Coordinator responded that she had looked into the issue and confirmed that the Complainant would not be charged. The Complainant responded that he believed other students may have received the bill in error, which "probably means it's not directed at [him] as retaliation for the Title IX complaint."

In addition to addressing the three original allegations of retaliation filed in XXX, the report addressed ongoing conflicts between the Complainant and the XXX Department throughout the investigation process. The report observed that XXX faculty members had “stepped away from Complainant as much as they could within the bounds of their professional obligations as faculty at the College,” and attributed these actions to XXX faculty’s own difficult interactions with the Complainant, and to the Professor’s noticeable frustration with the Complainant that may have “unknowingly” caused others to “step back from [him].” The report ultimately concluded that there was insufficient evidence that these ongoing disputes constituted retaliation.

The investigation report concluded with a recommendation that the Title IX office take steps to “more effectively resolve conflicts between students and faculty...notwithstanding the foregoing [finding(s) of insufficient evidence].”

OCR also reviewed an undated draft version of this report, which contained the following language about the duration of the resolution process:

“A closer look at this case, and the previous actions involving Complainant, suggests that the institution has not provided the Complainant with a speedy and efficient means to resolve the dispute, but rather subjected him to its drawn out bureaucratic processes - this investigation included.”

ANALYSIS

Resolution of XXX Sexual Harassment Complaint

OCR found insufficient evidence that the College’s response to the Complainant’s XXX complaint of sexual harassment was not prompt. OCR’s investigation found that after the XXX incident, the Complainant and various College staff corresponded about the dispute and how to informally resolve it. When the Complainant questioned whether the incident raised Title IX concerns on or around XXX, staff immediately forwarded his message to the Title IX Coordinator,⁸ who corresponded with the Complainant the next day to process his concerns. The Title IX Coordinator immediately collected information from the Complainant, the Professor, and the XXX Department Chair to determine whether sexual harassment had occurred. The College circulated the notice of outcome to both parties on XXX – approximately two weeks after the Complainant asked whether his concerns may be addressed under Title IX – which OCR finds was prompt under the circumstances.

OCR also found insufficient evidence that the College’s response was not equitable. The Title IX Coordinator extended the same opportunities to the parties to present information and to ask questions throughout the resolution process. She communicated with all the parties in person or by phone, and answered questions and concerns by the parties in XXX. OCR did not identify information indicating that the Title IX Coordinator otherwise treated one party more favorably in the resolution process. Based on her investigation, the Title IX Coordinator found that it was more likely than not that the Professor substituted the word “intimately” for “intermittently,” but

⁸ As noted earlier, the Title IX Support Officer formally became the Title IX Coordinator in XXX. For ease of review, OCR will refer to her as the Title IX Coordinator throughout this section.

that this alone would not constitute sex discrimination. While the Complainant alleged that the Title IX Coordinator did not interview a witness he recommended, OCR's investigation found that the Title IX Coordinator's inquiry was reasonably designed under the circumstances to ascertain what occurred, which in this case ultimately credited the Complainant's assertion that the Professor used the word "intimately." Relatedly, OCR's investigation found that the Title IX Coordinator was trained in Title IX investigations, and OCR's review of her investigation materials indicates that she documented the evidence and analyzed the information to support a decision that, under these circumstances, the Professor's statement did not constitute sexual harassment.

For these reasons, OCR found insufficient evidence that the College's response to the Complainant's allegation of sexual harassment was not prompt or equitable.⁹

Resolution of Allegations of Ongoing Concerns and XXX Retaliation Complaint

OCR found insufficient evidence that the College failed to respond to the Complainant's allegations of continuing or new problems with XXX faculty after he filed his XXX complaint. OCR's investigation indicates that upon initiating the resolution process, the Title IX Coordinator circulated charge letters to all the parties explaining that retaliation was prohibited and advising the parties to immediately contact her if they believed they were being targeted for retaliation. OCR's investigation found that the lead investigator did not limit his inquiry to the formal complaint allegations from XXX, and asked witnesses about ongoing conflicts between the Complainant and the XXX faculty, including the late XXX email disagreement. In addition, OCR's investigation indicates that Title IX staff processed the Complainant's concerns throughout the investigation and attempted to informally resolve them.

OCR is concerned, however, whether the College provided a resolution process for the Complainant's XXX retaliation complaint that was prompt under the circumstances.

OCR's investigation to date suggests that around half of the one-year resolution timeframe for the retaliation complaint (XXX) consisted of delays, including a two-month interval in reassigning the investigation from external investigators to a male internal investigator (XXX), and a five-month interval in drafting and clearing the investigation report (XXX). As to the reassignment process, although the College explained that it made this decision to appear impartial after the Complainant accused the external investigators of anti-male bias, OCR notes that the Title IX Coordinator originally told the Complainant and the respondents that the delay would only last "several weeks." OCR is concerned how long the College took to reassign the complaint after it determined that reassignment was necessary to avoid the appearance of bias.

As to the five-month interval to draft and clear the report in spring and summer XXX, OCR is concerned that the College may have allowed the lead investigator's limited work schedule due to family leave (i.e., available only two days a week and not available during the summer) to

⁹ The Complainant told OCR that the Director of Civil Rights and Diversity tried to dissuade him from filing his complaint(s) in XXX during an in-person meeting, and threatened that doing so may result in his expulsion. To the extent the Complainant raised this as a discrete allegation of retaliation, OCR finds insufficient evidence of a violation because OCR's investigation did not identify any information supporting this allegation.

affect the provision of a prompt response. While the College explained that the process was delayed by the Complainant's frequent communications, OCR notes that the College's draft investigation report stated that the process was "drawn out" and "not...speedy and efficient," and the final investigation report recommended that the Title IX office take steps to "more effectively resolve" complaints.

Given the College and OCR's decision to proceed with a CPM Section 302 resolution on this topic, OCR did not complete interviews or request additional records to fill in information gaps about how the Complainant's request to reassign the investigation was processed, and how and whether the Complainant's communications to Title IX staff in spring and summer XXX delayed the resolution.

The Complainant did not allege, and OCR did not identify, instances where the parties were afforded inequitable participation opportunities or supports during the resolution process. For example, OCR's investigation found that all the parties were allowed to meet with and provide relevant information to the Title IX Coordinator and the lead investigator on equal terms; that trained Title IX staff answered each party's questions throughout the investigation; and that all parties were provided the same rights and benefits, such as having a personal advisor to assist them throughout the resolution process. OCR's investigation also indicates that with the exception of the concern noted above regarding reassignment, the parties were provided the same information about the resolution process on identical or comparable terms (e.g., written notices announcing the initiation of the investigation, updates about the resolution process, and notice of outcome).

CONCLUSION

As noted above, OCR found insufficient evidence of a violation for Allegation 1. In addition, OCR has agreed to the College's request to resolve via CPM Section 302 the concerns OCR identified with Allegation 2, prior to making a compliance determination. The Resolution Agreement (Agreement) enclosed requires the College to develop and disseminate a memorandum to the College's Title IX Coordinator, as well as all College administrators, regarding the College's obligations under Title IX to provide a prompt and equitable resolution with respect to complaints of sexual harassment and sexual violence, and among other topics shall discuss the College's obligations to: promptly process complaints, including allowing no more than a temporary delay for good cause with written notice to the complainant and the respondent if there is any delay or extension and the reasons for the action, particularly when staff, employees, and/or contractors involved in the resolution process are on a part-time, reduced, and/or leave schedule. The College will also provide OCR with case file information demonstrating that the obligations have been implemented.

OCR will monitor the College's implementation of the Agreement to ensure that its terms and obligations are implemented. OCR may conduct additional visits and may request additional information if necessary to determine whether the College has fulfilled the terms of the Agreement. Once the College has satisfied the commitments under the Agreement, OCR will close the case. As stated in the Agreement, if the College fails to implement the Agreement, 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, including to enforce the Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The Complainant has a right to appeal OCR's determination of Allegation 1 within 60 calendar days of the date indicated on this letter. In the appeal, the Complainant must explain why she or he believes the factual information was incomplete or incorrect, the legal analysis was incorrect or the appropriate legal standard was not applied, and how the correction of any errors would change the outcome of the case. Failure to provide this information may result in denial of the appeal. OCR reviews appeals to determine whether there is a clear error of fact and/or an error in the legal conclusion that changes the outcome of the determination. If the Complainant appeals OCR's determination, OCR will forward a copy of the appeal form or written statement to the recipient (here, the College). The recipient has the option to submit to OCR a response to the appeal. The recipient must submit any response within 14 calendar days of the date that OCR forwarded a copy of the appeal to the recipient. An appeal can be filed electronically, by mail, or fax. All information to support the appeal must be submitted in writing at the time the Complainant files the appeal. The Complainant may not submit new evidence for consideration on appeal. Instead, if a Complainant has new evidence, the Complainant should file a new complaint. The Complainant must submit a completed online appeal form or written statement of no more than 10 pages (double-spaced, if typed). If submitted by mail, send to the Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202. If submitted via electronic mail, send to OCR@ed.gov. If submitted via fax, send to 202-453-6012. The filing date of an appeal is the date the appeal is postmarked, submitted electronically, or submitted via fax.

This concludes OCR's investigation of the complaint. This letter should not be interpreted to address the College'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. The complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the College may not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint with OCR.

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, it 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.

Sincerely,

/s Ramzi Ajami
Program Manager/Supervisory Attorney