



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

32 OLD SLIP, 26TH FLOOR
NEW YORK, NEW YORK 10005

RACHEL POMERANTZ
DIRECTOR
NEW YORK OFFICE

July 19, 2022

Sent via email only to jsinger@collegeboard.org

Jeremy Singer
President
The College Board
250 Vesey Street

Re: Case No. 02-22-2114
The College Board

Dear Mr. Singer:

On March 10, 2022, the U.S. Department of Education, Office for Civil Rights (OCR) received a complaint filed against the College Board. The Complainant alleged that the College Board discriminated against her son (the Student), on the basis of his disability, by failing to arrange for him to take the March 12, 2022 SAT exam with his approved accommodations.

OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability in programs and activities receiving financial assistance from the U.S. Department of Education (the Department). As a recipient of Federal financial assistance from the Department, the College Board is subject to Section 504.

On March 17 and April 19, 2022, OCR contacted the College Board to provide notice of the complaint and discuss OCR's Rapid Resolution Process (RRP). On April 19, 2022, the College Board communicated its willingness to voluntarily resolve the OCR complaint through RRP. On May 31, 2022, the College Board voluntarily entered into the attached resolution agreement to resolve the complaint, in accordance with Section 302 of OCR's *Case Processing Manual*. OCR will monitor the College Board's implementation of the resolution agreement. Upon the College Board's compliance with the terms of the Agreement, and Section 504 and its implementing regulation at 34 C.F.R. Part 104 which were at issue in this case, OCR will close the case.

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 Board must 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 against the College Board with OCR.

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, it will seek to protect, to the extent provided by law, personally identifiable information that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions, please contact Lauren Numeroff, Compliance Team Attorney, at (646) 428-3895 or lauren.numeroff@ed.gov; or me, at (646) 428-3901 or alexander.artz@ed.gov.

Sincerely,

/s/
Alexander H. Artz
Compliance Team Leader

Attachment

cc: Jill Green, Esq.