

March 20, 2014

Dr. Michael Hinojosa
Superintendent
Cobb County School District
514 Glover Street
Marietta, Georgia 30060

Re: Complaint #04-13-1990

Dear Dr. Hinojosa:

The United States Department of Education, Office for Civil Rights (OCR) has completed its investigation of the complaint received on September 4, 2013, against the Cobb County School District (District) alleging discrimination on the basis of disability. You (Complainant) alleged that the District discriminated against the Student, a student at Hill Grove High School (School), when she failed to make the varsity cheerleading squad because the cheerleading coaches did not want to deal with her diabetes.

The complaint was investigated pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. Section 794, and its implementing regulation, 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance. As a public entity, the District is also subject to the provisions of Title II of the Americans with Disabilities Act of 1990 (Title II), as amended, 42 U.S.C. Sections 12131 et seq., and its implementing regulation, 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public elementary and secondary education systems.

Legal Issues

Whether the District subjected the Student to different treatment on the basis of her disability when she failed to make the varsity cheerleading squad for the 2013-2014 season in noncompliance with the Section 504 regulation at 34 C.F.R. Section 104.4 and Title II at 28 C.F.R. Section 35.130.

Legal Standards

The regulation implementing Section 504 at 34 C.F.R. Section 104.4(b)(1)(i)-(ii) provides that a recipient offering an aid, benefit, or service may not directly or through contractual or other agreements deny a qualified person with a disability the opportunity to participate in or benefit from the aid, benefit or service or afford a qualified person with a disability an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others. The Title II regulation at 28 C.F.R Section 35.130 sets corresponding requirements.

When reviewing a claim of different treatment based on disability, OCR first determines whether there is evidence that an individual has been treated differently than similarly situated nondisabled students. If there is a difference in treatment, OCR determines whether the District has a legitimate nondiscriminatory, non-pretextual reason for the difference in treatment.

The Section 504 regulation at 34 C.F.R. § 104.33(a) and (b) requires that a recipient provide each qualified person with a disability in its jurisdiction a free appropriate public education. An appropriate education is defined in the regulation as the provision of regular or special education and related aids and services that are designed to meet the individual needs of a student with a disability as adequately as the needs of students without disabilities are met. Implementation of an individualized education plan (IEP) in accordance with the Individuals with Disabilities Education Act is one means of meeting this standard.

OCR reviews the evidence under the preponderance of the evidence standard. Under a preponderance of the evidence standard, OCR evaluates evidence obtained during an investigation to determine whether the greater weight of the evidence is sufficient to support a conclusion that the University failed to comply with a law or regulation enforced by OCR or whether the evidence is insufficient to support such a conclusion.

Background

The Student is currently a junior at the School. She previously participated on the freshmen cheerleading squad (2011-2012) and varsity squad her sophomore year (2012-2013). She was first determined eligible for a Section 504 Plan (Plan) by the District in 2005, based on a medical diagnosis of Type 1 Diabetes. She has had a Plan since that time. The Student self manages her diabetes. The Complainant filed a grievance with the District in August 2013 and the District found that that the Student's Section 504 plan was followed and the selection process for the cheerleading squad was based on the score total of the judges.

Facts and Analysis

Issue

Whether the District subjected the Student to different treatment on the basis of her disability when she failed to make the varsity cheerleading squad in noncompliance with the Section 504 regulation at 34 C.F.R. Section 104.4 and Title II at 28 C.F.R. Section 35.130.

The Complainant alleged that she felt the XXXXXXXXXXXX XXXXXXXX had grown tired of dealing with the Student because of her diabetes. The Complainant feels that the Student missing a game, having to sit out of practices and the requested accommodation for the Columbus competition trip in addition to the XXXXXXXX's refusal to accept her offer of training led to the XXXXXXXX deciding the Student's diabetes was too much to deal with so they did not allow her to make the cheerleading squad for the 2013-2014 school year.

OCR's review of the Student's Section 504 plans¹ shows that the first mention of specific accommodations for the Student regarding cheerleading was in the Student's November 7, 2012, Plan which was developed after a November 7, 2012, meeting and signed by the Complainant on November 8, 2012. The Student's Plan contained the following itemized accommodations:

- #9. XXXXXXXX would be trained on how to test the Student's blood glucose levels in the event a parent cannot attend school-sponsored field trips/competitions. If there is an overnight trip for school sponsored competitions, Student must room with trained, female coach/school representative to facilitate testing of blood glucose levels in the middle of the night.
- #13. The XXXXXX will allow the Student to check blood glucose levels and have a juice if needed prior to cheerleading practice after school. Student will be allowed to delay participation if she is symptomatic. Reference medical management plan for Shelby's low and high blood glucose numbers.
- #15. Staff will be trained in recognizing symptoms and management of low and high blood glucose annually.
- #17. 504 contact person will distribute plan to teachers/staff/coaches who work with XXXXXXXX.

Although invited the XXXXXXXX were unable to attend the meeting. The notes of the Section 504 meeting indicated with regard to cheerleading that "Parent shared that XXXXXXXX is not having trouble with any teachers, but the XXXXXXXXXXXX XXXXXXXX do not seem to understand the disease, according to the parent." There was discussion related to field trips and cheerleading competition which led to the addition of item #9 above and a request from the XXXXXXXX XXXXXXXXXXXX to the school XXXXXX to make arrangements next week to train the XXXXXXXXXXXX XXXXXXXX. The XXXXXXXXXXXX XXXXXX stated she was given a copy of the plan but the XXXXXXXX XXXXXX stated she does not recall being given a copy of the plan but was told about the accommodations related to the competition trip. The Student did not have any issues with her diabetes while on the trip and stated that even if she had it would not have been an issue because she was an alternate. The District reported that none of the coaches received any training from the school XXXXXX because the cheerleading season was over and the Student was not a member of the varsity basketball cheerleading team and she did not make the team for the 2013-2014 school year. The District indicated that appropriate training for the coaches would be held in the future as the need arises.

¹ The Student also provided the District with a health management plan and the information from the plan was incorporated into the Section 504 plan.

Both XXXXXXXX had been aware of the Student's diabetes since she cheered her freshmen year and both had received training as a teacher on diabetes. They also received the information packet about diabetes from the Complainant but neither recalled an offer of training. They both understood that they were responsible for the safety of the Student. They relied on the Student to inform them of how she was feeling and the coaches checked in with the Student regularly at practices and games to make sure the Student was ok or whether the XXXXXXXX needed to do anything to accommodate her because of high or low levels. The Student would also bring issues to the XXXXXXXX' attention at the beginning of practice or during practice and she would let XXXXXXXX know if something took place during the school day and as they both worked with the Student, they would notice symptoms and inquire if the Student was okay. The XXXXXXXX stated that they both cared for the Student and kept a bag of snacks at practice and the games and the Student was provided with snacks, allowed to sit out and rest, check her levels or have a snack, juice or water whatever was needed. Neither XXXXXX could remember how often the Student sat out but both remembered her missing one game. The XXXXXXXX did not feel the Student's diabetes was a distraction to the team and the XXXXXXXX XXXXXX thought it increased her duties but not in a negative way just a part of the job, kind of like teaching.

On rebuttal the Student stated that the XXXXXXXX never had to check her levels and never provided her with any snacks. She also stated that she was responsible for letting the XXXXXXXX know how she was feeling. Both the Student and Complainant stated that the XXXXXXXX mostly told her to sit down and never checked to see if she was okay. She also stated that her mom provided her snacks. The XXXXXXXX admitted that the Student sometimes had her own snacks but stated that they cared for the Student and also had snacks on hand. The Student also stated that it was her responsibility to inform the XXXXXXXX how she was feeling and the Complainant stated that she was usually at games.

The XXXXXXXX XXXXXX and XXXXXXXXXXXX XXXXXX both resigned their position as XXXXXXXX. The XXXXXXXX XXXXXX made the XXXXXXXXXXXX aware that she would not return as a XXXXXX verbally in December 2012 and tendered her written resignation in February 2013; she had been with the program for three years. The XXXXXXXXXXXX XXXXXX notified the XXXXXXXXXXXX that she would not be returning as XXXXX in September 2012. She had been with the program for six years and XXXXXXXXXXXX XXXXXX for three years.

The Complainant alleged that she felt the XXXXXXXXXXXXXXXX XXXXXXXX had grown tired of dealing with the Student because of her diabetes. The Complainant feels that the Student missing a game, having to sit out of practices and the requested accommodation for the Columbus competition trip in addition to the XXXXXXXX' refusal to accept her offer of training led to the XXXXXXXX deciding the Student's diabetes was too much to deal with so they did not allow her to make the cheerleading squad for the 2013-2014 school year.

The Complainant reported that on September 14, 2012, the Student left school early due to symptoms from her diabetes and could not cheer at the sporting event that day. She was made by the XXXXXXXX to sit in the grass in front of the cheerleaders because it did not look good for her to sit in the stands with a friend and boyfriend. According to the Complainant, this was embarrassing to the Student. District policy states that students are permitted to participate in extracurricular activities only if they have been in attendance at least one-half of the school day.

(Exceptions must be approved by the principal or a designee). According to the XXXXXX cheerleaders who are unable to participate during a game for any reasons are expected to partially dress out and sit with the cheerleaders. This is not a rule but an expectation that the cheerleaders are aware of and there has never been a situation where a cheerleader had refused or stated that she did not want to sit with the cheerleaders. The XXXXXXXX XXXXX stated that this expectation is similar to that of a football player who is injured but still stands on the side lines with the team during a game. On rebuttal, the Student stated that she was aware of this expectation but thought that it only applied when you rode to the game with the team. She stated that this was an away game, she rode with her mom and paid to get into the game. The XXXXX stated that she was not aware that the Student had paid to get in the game and had told the Student to text her when she got to the game so that a girl could be sent to get her. Additionally she stated that there is no exception to the expectation and she would have had issue with the Student choosing to be in the stands versus sitting with the team.

On October 15, 2012, the Complainant stated that the Student took herself out of practice due to symptoms from her diabetes but the coaches asked her to do one more tuck, which she did. The XXXXXXXXXXX XXXXX stated that on this occasion the team was doing tucks on the floor and she would spot for the Student because the Student did not always do a solid tuck. She stated that she asked the Student if she was feeling well and Student said yes. The Student did one more tuck and she fell and the Complainant was upset because she said the Student was forced to do more tucks. The XXXXXXXX stated that this incident was a turning point for them and they were confused as to what the Complainant wanted. The Complainant had stated that the Student felt left out because of her diabetes and then at the same time was stating that they were forcing the Student to participate when she should not. The XXXXXXXX stated that they weren't sure if the Complainant wanted them to back off, let the Student decide if she should participate or let the Student participate. After the incident, the XXXXXXXXXXX XXXXX spoke with the Complainant and voiced her confusion and apologized for making Student feel uncomfortable. During the meeting the Complainant opened up about the issues the Student had been having with her diabetes and the XXXXXXXXXXX XXXXX felt that the meeting went well and everyone was informed about what happened at practice. On rebuttal, the Student stated that she did not feel that she had been forced to continue and did state that she was okay; however, she did feel that because she had stated she did not feel well she should not have been asked to do anything else. The Complainant stated that she informed the XXXXXXXX that if they felt the Student was using her diabetes in an effort not to do something they should contact her and they never did.

The Complainant also stated there were some issues regarding the Student's accommodation on a competition trip to Columbus. The Student had been chosen as an alternate for the competition and there was an issue regarding who would be in the room with the Student. A Section 504 meeting was held on November 7, 2012 to address the issue and the Student attended the trip without incident.

Cheerleading Tryouts

The cheerleading tryouts for the 2013-2014 school year were held during the week of May 13-17, 2013. A student's score is calculated based on performance during clinic and tryouts which

includes elements such as stunts² (max. 15 pts), running tumbling (max. 10 pts), standing 10 pts), jumps (max 15 pts), chants (max 15pts.), dance (max 15 pts), overall performance (5 pts max) character (10% include mile run, attitude and work ethic during clinic) and grade point average (5%). According to the XXXXXXX, no preference is given to former cheerleaders in judging or scoring. Students are also required to fill out a squad preference either freshmen, junior varsity football competition or varsity football competition and 9th-11th graders have the option of being considered for both junior varsity or varsity and varsity is open to all grades. The Student only chose to try out for varsity football competition. The XXXXXXX for the competition included the XXXXXXX XXXXXXX XXXXXXXXXXXXXXX XXXXXXX r and the XXXXXXX XXXXX who had already informed the School she would not be the XXXXX for the 2013-2014 school. She was asked at the last minute to run tryouts because a new coach had not been hired. One of the XXXXXXX had coached the Student as a freshman and was aware of her diabetes. Additionally, the XXXXXXXXXXX XXXXX did not participate in the tryouts as a judge and had also informed the school she would not be a XXXXX for the 2013-2014 school year³. Because the new coaches had not been selected at the time of tryouts, there was a change in the normal process for selection of the cheering squad. Usually, the junior varsity and varsity team members for the next year are named at the end of the tryout process. However, because no new coaches were in place the Judges picked a pool of girls with the highest scores for the potential squads. The final teams were named after summer camp when the new varsity coach was in place and could consider the performance of the students in summer camp when making the final determination. This was done in order to allow the new varsity coaches an opportunity to determine the final team.

According to the information received by OCR, the students are judged on their performance during the clinic and the individual tryout. The clinic took place Monday-Wednesday and the tryouts were on Thursday. Although the tryouts are held together for all teams, the Judges look for different skill levels when scoring based on the team(s) selected. For varsity the XXXXXXX were looking for skill quality because varsity is the most competitive and if a student makes varsity she is also on the competition squad. For all criteria a score on the upper end of excellent and superior is required to make the varsity squad as well as stunting position so that there is a highly skilled well rounded team. Based on the scores the students were ranked from top to bottom and then the scores were color coded based on the team(s) the student chose. The varsity team usually consists of between 16-20 students and as such the top 20 scores were of girls who chose varsity as their team. Even though the teams were not being determined at the time of the tryouts, the XXXXXXX had to take into consideration whether a student's score would warrant placement on the varsity team. Students who chose junior varsity and varsity had more of a chance to make one of the teams even if their score was not high enough for varsity. The Student's score placed her in the 26th place. The XXXXXXX stated that the Student would have made the cut for the junior varsity squad.

According to the XXXXXXX the Student did not make varsity because she did not stick her tumbling (she put her hand down with standing back tuck and the expectation is to do standing

² Due to the shortened length of the clinic, stunts were not taught. The students were asked their stunt position during tryouts and asked to show the position.

³ The Assistant Coach did enter scores into a spreadsheet for final compilation but was not involved in the actual judging.

back tuck and complete it), and for her running tumbling she did a round off which is basic and she landed very low. For cheering chant the Student scored in the good to excellent range but she needed to yell louder, and her motions were not precise. In the dance category the Student scored in the good to excellent range, but her motions were not precise and she was bouncing which caused her to be off count (the goal is precision so everyone looks the same). For jumps the Student's landing needed to be cleared up. The Student received an overall score of 5 points, the maximum. For stunting and endurance the Judges wanted the students to complete the mile in less than 10 minutes and the Student ran the mile⁴ in 11.3 minutes and for stunting there was a need for different positions and the Student listed her stunting position as base. This position had been her weakness in the past year. The XXXXXXXX XXXXX stated that the run was just one of the things that affected the Student's score. OCR reviewed the score sheets and confirmed the Student's scores. OCR noted that the XXXX'X comments about their concerns were consistent and the Student's scores were consistent with other students who had like comments. The comments made by the XXXXXXXX for all students were commensurate with the scores.

On rebuttal, the Student stated that after looking at the scores she believes her tumbling was where she went wrong. She stated that on her standing tuck she scored higher than on running tumbling. She didn't land the standing tuck but she landed the running tumbling. She also stated that other girls were given an opportunity to redo their tumbling but she was not given this opportunity. According to the XXXXXXXX XXXXX, the students are told during tumbling tryouts to be prepared to perform a skill again but it doesn't apply to everyone. She stated that, for example, if a student is landing or missing all week long consistently there would be no need to see the tumbling again. But if a student is missing one day and landing the next the Judges may want to put her on the spot to see how she performs. The Student's tuck was consistent all week long - she was landing a very low tuck; therefore, the XXXXXXXX didn't need to see her tumbling again. The Student also stated that she informed the XXXXXXXX XXXXX on Tuesday before the run that she had left school because she had ketones and was not feeling well so she may not have her best mile time. She stated the coach responded asking her if she was okay and whether she had a juice. The Student responded that she would be fine. The Student stated that she did not ask to be excused from the run or do the run at another time. The XXXXXXXX XXXXX stated that she did recall the Student mentioning that she was not feeling well and she asked the Student what she needed but she did not suggest that the Student not run or do the run another day. She stated that the Student ran the mile so she assumed the Student was okay. The XXXXXXXX XXXXX also stated that she was not aware that the Student should not run if she had ketones. The Student stated that the XXXXXXXX XXXXX was the only person to whom she mentioned that she was not feeling well and she doesn't believe she had any other issue with her diabetes during the rest of the tryouts. The Complainant stated that the information packet she gave to the coaches clearly states that the Student is not to engage in any strenuous activity if she has ketones and her levels are high. She further stated that this is an example of the coaches' need for training and their complacency and apathy towards the Student's condition.

OCR's review of the Section 504 plan notes that there is nothing in the Student's Section 504 plan that specifically addresses when the Student should not engage in physical activity; however, this information is included in the packet the Complainant gave to the Coaches and the

⁴ The mile run took place on Tuesday.

District's training PowerPoint. Additionally, item #13 of the Section 504 Plan states that the Student is to delay participation in cheerleading if symptomatic and this item should have been implemented since the Student reported during a portion of the tryouts that she was not feeling well due to having ketones. The XXXXXXXX also stated that there have been other students on the team or who have tried out for the team and made teams in the past with disabilities (emotional behavior disorder/hearing impairment). No formal accommodations were requested by or provided to those students during tryouts or while on the team. One student who is currently on one of the teams and made a team for the 2013-2014 season has a hearing impairment and did not request accommodations but the coaches did make sure the student was facing them when giving instructions as she is able to read lips. Additionally, the Complainant and the Student stated that they did not request any accommodations for tryouts. The Complainant stated that she was not aware she could request accommodations for tryouts but it was her understanding that the Section 504 plan applied to all activities at the school including extracurricular activities. The XXXXXXXX also stated that several students in the past who were on the team have not made the team in subsequent years. The make-up of the team each year depends on the skill level of the students who tryout each year and what's needed for a well-rounded team. The Complainant also provided OCR with witnesses who could provide information relevant to the complaint. OCR contacted both witnesses but only one agreed to speak with OCR. This witness had no knowledge of whether the Student had been treated differently because of her disability but stated she did not get a sense that she had been treated differently. She had no knowledge of what took place during tryouts but stated that she was surprised the Student did not make the team because she felt her tumbling skills were just as good as or better than girls who made the team.

OCR interviewed the District's XXXXXXXX XXX XXXXXXXXXXXXXXXX (XXXXXXXXXXXXX) who stated that a student's Section 504 plan does apply to all school related activities, if relevant; however, they depend on the coaches to inform them if they have a student with a disability on their teams. The XXXXXXXXXXXXXXXX stated that due to privacy concerns, a Section 504 plan is only shared with the students' teachers when they are made aware that a coach is in need of information in the Section 504 plan. The XXXXXXXXXXXXXXXX also stated that it was his understanding that the Student's Section 504 plan had been followed.

Conclusion

Based on a preponderance of the evidence, there is insufficient evidence to conclude that the Student was not selected for the varsity cheerleading team because of her disability. When reviewing a claim of different treatment based on disability, OCR first determines whether there is evidence that an individual has been treated differently than similarly situated nondisabled students. If there is a difference in treatment, OCR determines whether the District has a legitimate nondiscriminatory, non-pretextual reason for the difference in treatment.

The evidence shows that the Student's Section 504 plan required the coaches to allow the Student to check blood glucose and have a juice if needed prior to cheerleading practice after school and the Student would be allowed to delay participation if she is symptomatic. The evidence also shows that the Student was allowed to sit out of practices or games, miss games, check her levels, and have a snack, if needed. The Student missing a game was mandated by

School policy that states students are only permitted to participate in extracurricular activities if they have been in attendance at least one-half of the school day. The XXXXXXXX requiring her to sit with the team was an expectation that the Student was aware of and used not as a punishment but as a show of support for the team. The Student sitting out of practice was an accommodation that she was allowed and according to the XXXXXXXX was not a distraction to the team. The Student was allowed to check her levels when necessary. There is a dispute regarding who provided the Student snacks but the evidence shows that snacks were available and the Student was allowed to have snacks when necessary. With respect to the Student performing during practice and tryouts, the evidence shows that the XXXXXXXX relied on the Student to inform them if she was well enough to participate and the Student informed OCR that she informed the XXXXXXXX she was okay to do another tuck during a practice and that she would be fine, when she informed the XXXXXXXX XXXXXX about her ketones, prior to the mile run during tryouts. OCR determined that even if she had done better on the mile run, it would not have been sufficient to place her in the top 20 and to qualify her for the varsity team. The Student alleged that students were told during tryouts that they would get another chance at standing tumbling if they didn't land the standing tuck but she was not allowed a second chance. The District stated that that students were told during tumbling tryouts to be prepared to throw a skill again but it only applied to a student who had been inconsistent during the clinic portion of tryouts. The Student had been landing a low tuck all week long and there was no need to see it again. Additionally, the evidence shows that the XXXXXX'X comments about their concerns with the Student's tryout were consistent and the Student's scores were consistent with other students who had like comments. The comments made by the Judges for all students were commensurate with the scores. There is insufficient evidence that the Student's disability played a role in her not making the team as two of the XXXXXXXX stated they were aware of her diabetes and the Student had previously cheered on the freshmen team and varsity team. Rather it was their opinion that she did not make the varsity team based on her scores during the tryouts. Therefore, based on a preponderance of the evidence, OCR concludes that there is insufficient evidence that the District is in noncompliance with Section 504 with respect to this issue.

Unalleged Compliance Issue

OCR however has concerns that the District failed to implement the training provisions of the Student's Section 504 plan with regard to the coaches and failed to provide the Student's coaches copies of the Student's Section 504 plan even though specific mention of cheerleading and the coaches can be found in the 504 plan. The District's statement that training was not provided because the season was over overlooks the fact that the Student's 504 plan continued in effect through the end of the school year and included the cheerleading tryouts held in May 2013. Further, the XXXXXXXXXXXX statement that providing the Student's Section 504 plan to the XXXXXXXX would violate the Student's privacy is not logical since the coaches were asked to participate in the 504 meeting and are specifically mentioned in the 504 plan. The XXXXXXXX in this case are no different from the teachers who must receive a copy of the Section 504 plan in order to implement it. Since the XXXXXXXX are mentioned in the 504 plan they must be provided a copy so that they can ensure that relevant provisions are implemented by them. A school district must consider whether safe participation by any particular student with a disability can be assured through reasonable modifications or the provision of aids and services. A school must make reasonable modifications to its policies, practices, or procedures whenever such

modifications are necessary to ensure equal opportunity, unless the school district can demonstrate that the requested modification would constitute a fundamental alteration of the nature of the extracurricular athletic activity. (Dear Colleague Letter, January 25, 2013-Students with Disabilities and Extracurricular Athletics.

<http://www.2.ed.gov/about/offices/list/ocr/letters/colleague-201301-504.html>.)

Therefore based on a preponderance of the evidence, the District is in noncompliance with Section 504 and Title II with respect to the unalleged issue. In order to resolve this compliance concern, the District voluntarily agreed to take corrective actions outlined in the enclosed Resolution Agreement (Agreement). OCR will monitor the implementation of the Agreement to ensure that it is fully implemented.

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.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If we receive such a request, we will seek to protect, to the extent possible, any personally identifiable information, the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy.

Intimidation or retaliation against complainants by recipients of Federal financial assistance is prohibited. No recipient may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the laws OCR enforces, or because one has made a complaint, or participated in any manner in an investigation in connection with a complaint.

This concludes OCR's consideration of this complaint, which we are closing effective the date of this letter. If you have any questions about this complaint, please contact Vicki Lewis, at 404-974-9332 or Arthur Manigault, Compliance Team Leader at 404-974-9376.

Sincerely,

Cynthia G. Pierre
Regional Director

Enclosure
cc: Sonya Sallis