



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS REGION IV
61 FORSYTH ST., SOUTHWEST, SUITE 19T10
ATLANTA, GEORGIA 30303-8927

Region IV
Alabama, Florida
Georgia, Tennessee

June 28, 2018

Via U.S. Mail & Email super@pcsb.org

Dr. Michael A. Grego
Superintendent
Pinellas County School District
301 4th Street SW
Largo, Florida 33770

Re: Complaint #04-17-1156

Dear Dr. Grego:

On December 7, 2016, the U.S. Department of Education, Office for Civil Rights (OCR), received the above-referenced complaint that the Complainant filed against the Pinellas County School District (District) alleging discrimination against the Student on the basis of disability.

OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 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; and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, et seq., and its implementing regulation, 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public entities. As a recipient of Federal financial assistance from the Department, the District is subject to the provisions of Section 504. As a public entity, the District is also subject to the provisions of Title II. Accordingly, OCR has jurisdiction of this complaint. Additional information about the laws OCR enforces is available on our website at www.ed.gov/ocr.

On August 21, 2017, OCR opened an investigation of the following legal issue:

Whether the District denied the Student a free appropriate public education (FAPE) by failing to implement provisions in her Section 504 plan regarding make-up work for disability-related absences, in noncompliance with Section 504 and its implementing regulation at 34 C.F.R. §104.33.

Prior to the completion of OCR's investigation, the District requested to voluntarily resolve this complaint. Pursuant to Section 302 of OCR's Case Processing Manual, a complaint may be resolved, before the conclusion of an investigation, when the recipient or public entity expresses an interest in resolving the complaint. The attached Resolution Agreement (Agreement) will require the District to take actions to remedy any compliance concerns regarding compensatory education services.

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness
by fostering educational excellence and ensuring equal access.*

www.ed.gov

On June 27, 2018, OCR received the enclosed signed Agreement that, when fully implemented, will resolve the complaint. OCR will monitor the District's implementation of this Agreement to ensure that it is fully implemented. If the District fails to fully implement the Agreement, OCR will reopen the case and take appropriate action to ensure compliance with Section 504 and Title II. The Complainant may file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the District may not harass, coerce, or discriminate against any individual because he or she has filed a complaint, or participated in the complaint resolution process. If this happens, the Complainant may file another complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information that, if released, could constitute an unwarranted invasion of privacy.

If you have any questions about this letter, please contact Colleen Grogan at (404) 974-9395.

Sincerely,

A handwritten signature in blue ink that reads "Andrea Marie de Vries". The signature is written in a cursive style.

Andrea de Vries
Team Leader

Enclosure