



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

REGION IX
CALIFORNIA

50 UNITED NATIONS PLAZA
MAIL BOX 1200; ROOM 1545
SAN FRANCISCO, CA 94102

September 22, 2016

Ronald Kraft
President
Napa Valley Community College District
2277 Napa Vallejo Highway
Napa CA 94558

(In reply, please refer to case no. 09-16-2149.)

Dear President Kraft:

This letter is to advise you of the conclusion of OCR's investigation of the above referenced case, which was opened on February 16, 2016 in response to a complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), against Napa Valley Community College District (District). The complaint alleged discrimination against the Student¹ on the basis of disability. Specifically, OCR investigated whether the District failed to provide the Student with her approved accommodations, which included: 1) a note-taker/shared notes; 2) a digital pen; 3) audio books; 4) audio recorder 5) text-to-speech software; and 6) recorded lectures during the academic year 2015-2016.²

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

OCR gathered evidence through interviews with the Student, District staff, and other student witnesses, and by reviewing documents and records provided by the Student and the District.

¹ OCR notified the District of the identity of the Student when the investigation began. We are withholding the Student's name from this letter to protect the Student's privacy.

² The Student's initial complaint dated February 16, 2016 alleged that the District failed to provide the Student with her approved accommodations of a digital pen and note-taker/shared notes. The Student subsequently clarified to OCR that she was alleging that she had not received the other approved auxiliary aid accommodations listed here. OCR notified the District of the revised allegation on June 6, 2016.

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

With respect to the provision of the Student's notetaking and digital pen accommodation, OCR determined that the District violated Section 504 and Title II and their implementing regulations with respect to its provision of these accommodations, and the District entered into the enclosed Resolution Agreement intended to address this finding of noncompliance.

Under Article III, Section 302 of OCR's Case Processing Manual (CPM), a complaint may be resolved when, before the conclusion of an investigation, a recipient expresses interest in resolving the complaint. Prior to OCR completing its investigation regarding the remainder of the Student's allegations, the District expressed its willingness to enter into a Resolution Agreement (Agreement) to resolve the compliance concerns raised by the remaining allegations, and OCR determined that it was appropriate to resolve the remaining allegations with such an Agreement.

The applicable legal standards, factual findings, and OCR's resolution of the complaint are summarized below.

Legal Standards

The Section 504 regulations, at 34 C.F.R. §104.43(a), provide that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any postsecondary education program of a recipient. The Title II regulations, at 28 C.F.R. §35.130(a), contains a similar prohibition.

The Section 504 regulations, at 34 C.F.R. §104.44(a), require recipient colleges and universities to make modifications to their academic requirements that are necessary to ensure that such requirements do not discriminate, or have the effect of discriminating, against qualified individuals with disabilities. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific required courses, and adaptation of the manner in which courses are conducted. However, academic requirements that recipient colleges and universities can demonstrate are essential to the program of instruction being pursued or to any directly related licensing requirement will not be regarded as discriminatory.

Under the Title II regulations, at 28 C.F.R. §35.130(b)(1)(ii) and (iii), public colleges and universities may not afford a qualified individual with a disability opportunities that are not equal to those afforded others, and may not provide aids, benefits or services that are not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others. Under 28 C.F.R. §35.130(b)(7), public colleges and universities must make reasonable modifications in policies, practices or procedures when necessary to avoid discrimination on the basis of disability, unless doing so would fundamentally alter the nature of the service, program or activity. Section 35.103(a) provides

that the Title II regulations shall not be construed to permit a lesser standard than is established by the Section 504 regulations. Therefore, OCR interprets the Title II regulations to require public colleges and universities to provide necessary academic adjustments to the same extent as is required under the Section 504 regulations.

In determining what types of auxiliary aids and services are necessary, a public entity shall give primary consideration to the requests of individuals with disabilities. In order to be effective, auxiliary aids and services must be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

Factual Findings

Background

- During the 2015-2016 academic year, the Student was enrolled at Napa Valley Community College, which is the sole college in the District. The District recognizes the Student as an individual with a disability of PTSD and anxiety. As discussed in detail below, the Student alleges that the District failed to ensure her approved accommodations were implemented in all of her classes.
- During the 2015-2016 academic year, the Student took the following academic lecture classes which are at issue in this case: XXXXXXXX History (Fall 2015); Business XXX (Fall 2015); and XXXXXXXX XXXX XXXXXXXXX X (Spring 2016).
- On August XX, 2015, both the Student and the District's Disabled Student Programs & Services ("DSPS") Support Specialist signed the Student's Accommodations Agreement for the academic year 2015-2016, which included the following approved accommodations: 1) a note-taker/shared notes; 2) a digital pen; 3) audio books; 4) audio recorder; 5) text-to-speech software; and 6) recorded lectures.

Accommodations Policies and Procedures

- The District's policy for requesting accommodations, "Policy and Procedures for Requesting Accommodations" (Accommodations Policy) is available on its DSPS webpage, and was further clarified for OCR during onsite interviews. In summary, the process during the 2016-2016 academic year was as follows:
 1. Students meet with a DSPS staff member in August of each year to create an Accommodations Agreement for the coming school year that lists all approved accommodations.
 2. Students thereafter request the specific accommodations needed for each class, each semester. The request is made to the DSPS Support Specialist, who is responsible for

arranging for the provision of all accommodations other than the note-taker/shared notes accommodation, which is handled by the District's Accommodations Specialist. In May 2016, the District implemented a "Semester Accommodations Request" form that can be submitted online through the DSPS webpage.

3. The Support Specialist generates a notification letter (Instructor Notification Letter) listing the accommodations the student requested and is approved to have in each class and emails it to the students' instructors. Students are not copied on the email and also not provided with a copy of the notification letter.
 4. For technology-related accommodations, such as text-to-speech software and audio books, the Support Specialist refers the student to the Alternate Media (Alt Media) Department, which provides any necessary training and services to implement these accommodations. Alt Media records information regarding referred students, such as student appointments for training, but does not have a system or practice of reporting back to DSPS regarding whether referred students have received their training or other services. The District stated it is the student's responsibility to go to Alt Media to complete registration, forms, and any training necessary to receive the accommodations. Prior to May 2016, the District did not provide students with a written description of the steps they had to take to receive the accommodations available through Alt Media. In May 2016, during the course of OCR's investigation, the District implemented an "Accommodations Information" form that provides information regarding the available Alt Media accommodations and how to obtain them, and an "Alt Media Request" form that can be submitted online through the DSPS webpage.
- The District provided OCR with a description of a separate process for providing a student with a note-taker/shared notes accommodation. As described below, OCR found that this process was not posted online or otherwise provided in writing to the District student community. In summary, the District stated the process for requesting and receiving a note-taker is as follows:
 1. After students register for classes, they inform the Support Specialist which classes they need a note-taker in. In May 2016, during the course of OCR's investigation, DSPS implemented a "Request for Note-Taker Accommodation" form on the DSPS webpage, which allows students to submit their note-taker request online.
 2. The Instructor Notification Letters issued for students with an approved note-taking accommodation direct the instructor to announce the need for a volunteer student

note-taker in their class. If a student volunteers, the volunteer is told to contact the Accommodations Specialist in DSPS to make arrangements for providing notes.

3. A student volunteer takes notes and provides them after each class to the Accommodations Specialist, who scans them and emails them to students who have requested and are approved for them.
4. The Accommodations Specialist keeps track of classes with note-taker volunteers in an excel spreadsheet and follows-up with instructors to make sure notes or an alternative arrangement is provided. The District stated that it is the student's responsibility to inform the Accommodations Specialist if they have this accommodation and are not receiving notes.
5. If no student volunteers to take notes, the Accommodations Specialist will ask the instructor to renew the request for a note-taker.
6. If it continues that no student volunteers to take notes, the District stated that it does not guarantee that a note-taker will be provided. The District stated that in such a case, the Accommodations Specialist will "make alternate arrangements." The District stated the alternative arrangements can include notes from the instructor, notes from a paid note-taker, a recording device, or some other arrangement.

Request and Implementation of the Student's Accommodations Fall 2015

- As described above, during the Fall 2015 semester, the Student was enrolled in the following classes at issue in this complaint: XXXXXXXX History and Business XXX. Consistent with the accommodations process described above, on August XX, 2015 the Student met with the Support Specialist to discuss her Accommodations Agreement. The Student's Accommodations Agreement for the 2015-2016 academic year included the following approved accommodations: note-taker/shared notes; text-to-speech software; audio recorder; audio books; digital pen; and recorded lectures.
- That same day, the Support Specialist emailed Instructor Notification Letters to the Student's XXXXXXXX History and Business XXX instructors to notify them of the Student's approved accommodations. The Student stated that she informed the Support Specialist that she wanted all of her approved accommodations in her XXXXXXXX History and Business XXX class. However, the Student's Instructor Notification letters listed only three of her six approved accommodations: note-taker/shared notes, recorded lectures, and audio recorder, and did not include text-to-speech software, audio books, or a digital pen.

- The Support Specialist told OCR that she did not recall her meeting with the Student and did not know why all of the Student's approved accommodations were not listed in the Instructor Notification Letters. DSPS staff told OCR that the District had no form in use to memorialize meetings between the Support Specialist and students as to which accommodations were requested for each class.
- OCR interviewed the Support Specialist, Accommodations Specialist, Alt Media Specialist and the Student's instructors about the implementation of her approved accommodations in her XXXXXXXX History and Business XXX classes. The implementation of each approved accommodation is discussed below.

Note-taker/Shared notes

- The Accommodations Specialist told OCR that a student initially volunteered to take notes in the Student's XXXXXXXX History class, but did not do so. The Accommodations Specialist told OCR that she spoke with the XXXXXXXX History instructor, who agreed to provide the Student with notes. The Accommodations Specialist provided OCR with a copy of the spreadsheet she used to track note-takers and it also indicated that the instructor was to provide notes.
- However, the XXXXXXXX History instructor informed OCR that she was never asked to provide notes or to arrange an alternate accommodation. In addition, OCR interviewed another student (Student 2), who stated that she had also approved note-taker accommodation for the XXXXXXXX History class and also did not receive notes or an alternative after informing the Accommodations Specialist.
- The Accommodations Specialist told OCR that no students volunteered to take notes in the Student's Business XXX class, but that the instructor offered to provide the Student with notes. The Accommodation Specialist's spreadsheet used to track note-takers also indicated that the instructor was to provide the Student with notes. However, the Business XXX instructor told OCR that he could not remember if anyone had volunteered to take notes, nor could he remember if he had been asked by the Accommodations Specialist to provide the Student with notes. The Business XXX instructor stated that he would not have had notes to provide the Student with had he been asked to do so because he did not use written notes.

Text-to-speech Software

- The Student told OCR that she did not receive this accommodation. The District and the Student agree that she received training on how to use the text-to-speech software with the Alt Media Specialist. However, the Student told OCR that Alt Media did not provide her with the software license needed to access the software on her personal computer, and she was therefore unable to utilize the software.

- The Alt Media Specialist told OCR that it is his standard practice to provide the software license during a student's training, however, he could not recall the specifics of the training provided to the Student. Although the Alt Media Department recorded the date students receive training, OCR found that no separate records were kept of when software licenses are distributed.
- The Student stated that she complained verbally to the Support Specialist numerous times during the Fall 2015 semester. The Support Specialist denies that the Student ever informed her that she could not access the text-to-speech software, but that it was Alt Media's responsibility to provide the Student with access to it.

Audio books/Audio recorder/Recorded lectures

- The Student told OCR that she did not receive the audio book accommodation, and that as with the other accommodations discussed above, she verbally complained to the Support Specialist numerous times. The Support Specialist told OCR that the Student never complained to her that she did not receive this accommodation. The Alt Media Specialist stated that he did not have a record of the Student having provided her books to Alt Media to be scanned into audiobooks.
- The Student told OCR the Support Specialist told her that an audio recorder could be checked out from Alt Media and had to be used there to listen to recordings. The Student told OCR that she wanted to be able to take the audio recorder home and therefore did not utilize it. The Support Specialist denied telling the Student that audio recorders were limited in this manner. The Alt Media Specialist also told OCR that students could use audio recorders in class and that though they were Alt Media accommodations, they were provided to students by the Accommodations Specialist.
- With regard to recorded lectures, none of the Student's instructors who were interviewed by OCR recalled having been asked by DSPS to record their lectures; the Student told OCR that she never asked the instructors to record their lectures because she did not think she was permitted to use her cell phone to record lectures. The Student also told OCR that she was never provided with any information about how to obtain the recorded lecture accommodation or how it was different from the audio recorder accommodation. The Alt Media Specialist told OCR that the recorded lecture accommodation authorizes a student to record a lecture using any device including a personal cell phone, and that the audio recorder accommodation provides the student with an actual recording device typically an audio or digital recorder.

- The Student told OCR that she found the referral process between Alt Media and DSPS confusing, and did not know who to go regarding her difficulty getting training or other services from Alt Media after being referred there by DSPS.

Digital pen

- The District told OCR that the digital pen was not available in Fall 2015 because of technical, training, and availability issues, including that the model of the pen that was selected had USB/wifi compatibility issues, the pen needed to be tested by staff before being provided to students, and a system needed to be developed to distribute and track the pens. The District stated that as a result of these issues, DSPS did not provide the pen to the Student. The Support Specialist told OCR that one reason digital pens continued to be listed on Accommodation Agreements despite not being available in Fall 2015 was so that students who wanted to purchase the pens themselves could do so and would be approved to use them in class. The Student acknowledged that DSPS told her the digital pen was not available until the staff testing was completed, but did not suggest that she would be allowed to use a digital pen purchased on her own.
- The Student told OCR that as a result of not receiving her approved accommodations in Fall 2015, she experienced increased anxiety and frustration that worsened her PTSD and anxiety disabilities.

Request and Implementation of the Student's Accommodations Spring 2016

- The only Spring 2016 class at issue in this complaint is the Student's XXXXXXXX XXXX XXXXXXXX (XXX) I class. The Student met with the Support Specialist regarding her Accommodations Agreement on January XX, 2016. The Student told OCR that at this meeting, she requested all her approved accommodations for her XXX class. The Support Specialist told OCR that she did not recall if the Student requested all her approved accommodations.
- After their meeting, the Support Specialist emailed an Instructor Notification Letter to the Student's XXX instructor to notify her of the Student's accommodations. The Instructor Notification Letter listed all of the Student's approved accommodations, except audio books. As with Fall 2015, the Support Specialist told OCR that she does not know why the accommodation of audio books was omitted from the Instructor Notification Letter.
- OCR interviewed the Support Specialist, Accommodations Specialist, Alt Media Specialist, and the Student's XXX instructor about the implementation of her approved accommodations in her XXX class. The implementation of each approved accommodation is discussed below.

Note-taker/shared notes

- The Student's XXX instructor told OCR that she announced the need for a volunteer note-taker in class and that no one volunteered. The Student told OCR that the Accommodations Specialist told her that no one had volunteered to take notes and no notes were available. The Accommodations Specialist denied telling the Student this information. Documents provided to OCR by the District reflect that DSPTS staff met with the Student on January XX, 2016 and state that at that time the Student "requested a [digital pen] in place of a note-taker." The Student told OCR she did not make this request and wanted the note-taker accommodation as well as the digital pen implemented in the XXX class.
- OCR reviewed a subsequent April XX, 2016 email exchange between the Student's XXX instructor and the Accommodations Specialist regarding the Student's approved accommodations, in which the Accommodations Specialist stated that the Student no longer needed note-taking because she had been provided with a digital pen, and also removed the audio recorder and text-to-speech device from the list of the Student's approved accommodations. That same day, the XXX instructor emailed the Accommodations Specialist asking if the Student had requested the removal of the note-taker and other accommodations, and in reply, the Accommodations Specialist provided a corrected accommodations list including the audio recorder and text-to-speech device, but confirmed that a note-taker was no longer needed. The XXX instructor told OCR that she showed the Student the email exchange and asked the Student if she had requested the digital pen in place of the note-taker, and that the Student stated that she had not. The Accommodations Specialist told OCR she did not recall this email exchange.

Audio Books/Audio Recorder/Recorded Lectures/Text-to-speech device

- The Student told OCR that she did not receive the audio book, audio recorder, recorded lectures, or text-to-speech device accommodations in her XXX class. The Student stated that as with previous semester, she verbally complained numerous times to DSPTS staff about the lack of accommodations. DSPTS staff told OCR that the Student did not make them aware that she was not receiving these accommodations.

Digital Pen

- The Student stated she received this accommodation after completing training with the Alt Media Specialist on January XX, 2016, and checking the pen out from the Accommodations Specialist on January XX, 2016.
- The Student told OCR that as a result of not receiving all of her approved accommodations in Spring 2016, she experienced increased anxiety and frustration that worsened her PTSD and anxiety disabilities.

Other Accommodations Concerns

- In addition to the Student's accommodations issues discussed above, witnesses interviewed by OCR described additional concerns with the implementation of approved accommodations. Specifically, one of the instructors interviewed by OCR stated that she was uncertain whether the Instructor Notification Letters sent to her imposed requirements other than announcing the need for a note-taker to the class.
- In addition, OCR interviewed another student (Student 3) who was a classmate of the Student in a XXXXX XXXXXXXXXXXX class during the 2014-2015 school year, who stated that she was also not provided with an approved note-taker accommodation. Student 3 stated that she and the Student had complained to DSPS but that the note-taker or alternative arrangement was not provided.

Analysis

OCR found that the Student is a qualified individual with a disability; that she sought academic adjustments and auxiliary aids by notifying the District; and that she and the District engaged in an interactive process resulting in an Accommodations Agreement determining which modifications were needed consistent with the regulations.

In summary, OCR determined that in Fall 2015, the District failed to provide the Student with her approved accommodations of a digital pen and a note-taker/shared notes in her XXXXXXXX History and Business XXX class, and that in the Spring 2016 semester, the District failed to provide the Student with a note-taker/shared notes in her XXX class. OCR did not complete the investigation with regard to the Student's other approved accommodations, however, based on the facts gathered to date, OCR has concerns that the lack of a clear referral and tracking process between DSPS and Alt Media, and insufficient information regarding the scope and availability of accommodations which required training and services from Alt Media, may have hindered the implementation of the Student's text-to-speech device, audio recorder, audio books, and recorded lectures. Each accommodation is discussed below.

Digital Pen

OCR's interviews with DSPS staff established that there were significant technical and distribution issues with the digital pens in Fall 2015. These included wifi/USB compatibility issues, the absence of a plan to track and distribute pens to students, and the need for the pen to be tested by staff. Because the barriers to distributing the pens were significant and resulted in a significant delay, DSPS should have modified the Student's Accommodation Agreement to reflect that the digital pen would not be available in Fall 2015, as well as taken steps to ensure that she was provided with all similarly-purposed accommodations, such as a note-taker/shared notes and audio recorder. Based on the information summarized above, OCR found that the

District failed to implement the Student's approved accommodation for a digital pen during the Fall 2015 semester.

Note-taker/Shared Notes

As described above, OCR found that the student who initially volunteered to take notes in the XXXXXXXX History class did not do so. The evidence did not support the District's contention that the Student's XXXXXXXX History instructor agreed to provide her with notes as an alternative arrangement. Similarly, OCR found that no student volunteered to take notes in the Student's Business XXX class, and the evidence did not support the District's contention that the Student's Business XXX instructor agreed to provide the Student with notes as an alternative arrangement. OCR also found that no student note-taker was secured in the Student's Spring 2016 XXX class, and the Accommodations Specialist did not make alternate arrangements; instead, the evidence obtained by OCR shows that the Accommodations Specialist sought to remove the Student's approved note-taker accommodation once she had been provided with a digital pen, without notifying the Student about the change in her approved accommodations.

OCR also identified systemic issues that contributed to the failure to implement the Student's note-taker/shared notes accommodation. As described above, the District's policy directs instructors to make an announcement that volunteer note-takers are needed, and if no one volunteers, for the Accommodations Specialist to create an "alternate arrangement" for the student needing the accommodation. In practice, OCR found that the Accommodations Specialist did not consistently make alternative arrangements. Two other student witnesses stated that the Accommodations Specialist told them notes would not be available in their classes without offering any alternative arrangement, and as discussed above, the Student's instructors contradicted the Accommodations Specialist's statements that they agreed to provide the Student with notes in place of a student volunteer. OCR found that the District did not provide clear information to instructors or students regarding how to communicate the lack of a student notetaking volunteer to DSPS. Based on the information summarized above, OCR found the District failed to provide the Student with her approved accommodation of notetaking/shared notes during the 2015-2016 school year.

Other Alt Media Accommodations

As described above, the Student told OCR that she did not receive sufficient information from DSPS and did not receive training and services necessary from Alt Media to implement her text-to-speech, audio book, audio recorder, and recorded lectures accommodations. OCR has concerns that the lack of a clear referral and tracking system created uncertainty about how the Student could access approved accommodations from Alt Media and address challenges that arose when she attempted to utilize necessary software and devices. Although Alt Media provided OCR with documentation indicating that the Student received part of the necessary training for her text-to-speech software accommodation, there was no record of whether the

Student received the software license necessary for implementation of this accommodation. In addition, while the District provided OCR with documentation indicating that DSPS was referred to Alt Media to receive an audio recorder, the Alt Media Specialist suggested that the audio recorder could have been provided by DSPS office. OCR is also concerned that the District does not have a process for documenting whether students referred to Alt Media have encountered any barriers in attempting to access Alt Media services.

Based on the information summarized above, OCR has concerns that the District may have failed to fully implement the Alt Media training and services that were necessary to implement the Student's approved accommodations during the time period at issue. To make a compliance determination regarding this issue, OCR would need to interview additional witnesses and review additional records related to Alt Media accommodations.

In sum, OCR found the preponderance of the evidence establishes that the District violated Section 504 and Title II and their implementing regulations when it failed to implement the Student's approved accommodations of a note-taker/shared notes in Fall 2015 and Spring 2016, and a digital pen in Fall 2015. In addition, OCR has concerns based on the information gathered to date that the District may have failed to provide the Student with her approved Alt Media accommodations during the time period at issue, however, OCR did not make a compliance determination regarding these issue because OCR determined that it was appropriate to resolve the remaining issues by entering into a Resolution Agreement with the District.

Conclusion

On October 21, 2016 the District entered into the enclosed Agreement with OCR that is aligned with the allegations, issues investigated, and the information obtained by OCR during the investigation. The Agreement requires the District to ensure students are timely provided a note-taker or appropriate interim accommodations, and permit withdrawals within a specified time period; develop written guidance regarding the process for referring students to Alt Media and a system to ensure accommodations are provided in a timely manner; and provide clear information to students, faculty, and staff regarding the District's disability discrimination complaint process.

When fully implemented, the Agreement is intended to address all of OCR's compliance concerns and noncompliance finding identified in this investigation. OCR will monitor the implementation of agreement until the District is in compliance with Section 504, Title II, and their respective implementing regulations.

OCR is closing the investigation of this complaint as of the date of this letter, and notifying the Complainant concurrently. 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 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 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. 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.

OCR wishes to thank the District, and in particular, Charo L. Albarrán, the District's Executive Director of Human Resources, for its assistance in resolving this complaint. If you have any questions please contact OCR attorney Matthew Wood at 415-486-5591 or Matthew.Wood@ed.gov.

Sincerely,

/s/

Kendra Fox-Davis
Team Leader

Enclosure