



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

400 MARYLAND AVENUE, SW
WASHINGTON, DC 20202-1475

REGION XI
NORTH CAROLINA
SOUTH CAROLINA
VIRGINIA
WASHINGTON, DC

August 1, 2018

Mr. Bennie Bennett
Superintendent
School District of Newberry County
P.O. Box 718
3419 Main Street
Newberry, South Carolina 29108

RE: OCR Complaint No. 11-15-1192
Resolution Letter

Dear Mr. Bennett:

This letter is to advise you of the outcome of the complaint that the Office for Civil Rights (OCR) of the U.S. Department of Education (the Department) received on April 1, 2015 against School District of Newberry County (the District). The Complainant filed the complaint on behalf of his son (the Student), who attended XXXX (the School). The Complainant alleged that the District discriminated against the Student on the basis of disability (attention deficit disorder and oppositional defiant disorder) and race (African-American), and subjected him to retaliation during the 2014-2015 school year. Specifically the Complainant alleged the following:

1. The School discriminated against the Student on the basis of his disability when
 - a. He received a total of seven days of out-of-school (OSS) suspensions between XXXX and XXXX, despite the School's finding that the behavior resulting in these suspensions was a manifestation of his disability; and,
 - b. Between XXXX and XXXX, the School gave him an additional four days of OSS, but failed to provide him with a manifestation hearing; and
 - c. School staff did not give him the opportunity to "cool down," consistent with his Section 504 Plan, prior to disciplining him on XXXX.
2. The District retaliated against the Student when it: (a) suspended him on XXXX, and (b) when it issued a no trespassing order against the Student because the Complainant continued to serve as an advocate regarding the Student's disability.
3. The School discriminated against the Student on the basis of his race when it disciplined him more than his white peers:
 - a. In XXXX, his XXXX coach suspended him from the XXXX team for three games;
 - b. In or around XXXX, School staff wrote him up for an incident XXXX; and
 - c. On March 9, 2015, the School gave him a one day OSS for skipping class and exhibiting rude/disrespectful behavior.¹

¹ By letter dated, July 16, 2015, OCR notified the District that OCR would also investigate the following: whether the District discriminates against African-American students by disciplining them more harshly than White students.

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

OCR enforces Section 504 of the Rehabilitation Act of 1973 (Section 504) and its implementing regulation at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability in programs and activities that receive Federal financial assistance from the Department. OCR also enforces Title II of the Americans with Disabilities Act of 1990 (Title II) and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination against qualified individuals with disabilities by public entities, including public education systems and institutions, regardless of whether they receive Federal financial assistance from the Department. OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin in any program or activity receiving Federal financial assistance from the Department. The laws enforced by OCR prohibit retaliation against any individual who asserts rights or privileges under these laws or who files a complaint, testifies, assists, or participates in a proceeding under these laws.

Before OCR completed its investigation, the Division expressed a willingness to resolve the complaint by taking the steps set out in the enclosed Resolution Agreement. Following is a summary of the relevant legal standards and information obtained by OCR during the investigation.

BACKGROUND

The Student was a XXXX grader at XXXX (the School) during the 2014-2015 school year. The Student is African American and was diagnosed with Attention Deficit Disorder (ADD), Oppositional Defiance Disorder (ODD), major mood disorder, and central auditory processing disorder. During the 2014-2015 school year, the Student had a Behavior Intervention Plan (BIP) and an Individual Accommodation Plan (IAP). From XXXX to XXXX, the Student received multiple disciplinary referrals resulting in various disciplinary consequences, including in-school suspensions (ISS) and out of school suspensions (OSS). On XXXX, the District conducted a manifestation determination review (MDR) and scheduled a second MDR in XXXX; however, the Complainant withdrew the Student from the District XXX, prior to the District conducting the second MDR.

Furthermore, in the XXXX, the School XXXX team suspended the Student from the team. Also, subsequent to the Student's withdrawal from the District, on XXXX, the Student was on School property after regular school hours and the Student was involved in an incident at the School resulting in the District issuing the Student a no trespass notice. In XXXX, the Student graduated from high school in a neighboring school district.

ALLEGATION 1

1. Legal Standard

The Section 504 regulation, at 34 C.F.R. § 104.35(a), requires a school district to reevaluate a student with a disability before any significant change in placement. OCR considers an expulsion, long-term suspension, or other disciplinary exclusion of more than 10 school days to be a significant change in placement. A series of short-term exclusions that add up to more than

Subsequently, OCR determined that it would only be addressing in this investigation the allegations raised by the complainant, as set forth above, and would not be addressing this additional issue.

10 days and create a pattern of exclusions may also be a significant change in placement. When a significant change in placement is for disciplinary reasons, the first step in the reevaluation is to determine whether the student's disability caused the misconduct (also referred to as a manifestation determination). That determination should be made by a group of persons who are knowledgeable about the student, the meaning of the evaluation data, and the placement options. If the group finds that the student's disability did not cause the misconduct, the district may discipline the student in the same manner as it disciplines students without disabilities. If a school district finds that the student's disability caused the misconduct, the district may not exclude the student for more than 10 days and must continue the reevaluation to determine the appropriateness of the student's current educational placement.

2. Background

Based on OCR's review of documentation received from the Complainant and the District, below is a summary of the exclusionary discipline and MDRs the Student received during the 2014-2015 school year:

XXXX CHART REDACTED XXXX

On XXXX the District disciplined the Student and gave him ISS for each incident, totaling six (6) days of ISS. Subsequently, on XXXX, the District disciplined the Student and gave him OSSs for each incident, totaling eleven (11) days of OSS.

On XXXX, the District suspended the Student for half the day OSS for disrupting class, repeatedly using profanity, and disrespecting the teacher (this occurred after the Student already received ISS for an incident earlier in the day). On XXXX, the District issued the Student five days OSS for using profanity towards a teacher and walking out of class. On XXXX, the District suspended the Student for one day out of school due to a verbal confrontation with another student. On XXXX, the Section 504 team met, per the request of the Complainant, to conduct a MDR for the XXXX disciplinary incidents. OCR notes that at the time of this MDR, the Student had already served the suspension for these incidents. The Section 504 team determined that the Student's conduct was a manifestation of the Student's disability, recommended that the Student participate in counseling to learn positive behavior and coping strategies, and determined not to amend the Student's IAP because the Student's IAP was recently amended on XXXX.

On XXXX, the District suspended the Student for one day OSS for being involved in a physical altercation with another student and disrespecting a teacher. On XXXX, the District suspended the Student for two days OSS for cutting class, using profanity, and being disrespectful to School staff. On XXXX, the District suspended the Student for the last three hours of the school day for similar behavior, i.e., using profanity and leaving class without permission. Subsequently, on XXXX, the District sent the Complainant a notice of its intent to meet to review the Student's IAP and BIP. On XXXX, the Complainant responded by notifying the District that he was unable to attend the meeting. Thereafter, on XXXX, the District sent the Complainant a second notice to meet to review the Student's IAP and BIP and to review all disciplinary referrals since XXXX. On XXXX, the Complainant withdrew the Student from the District.

3. Analysis

The Complainant alleges that the Student's actions that resulted in disciplinary referrals were manifestations of the Student's disability and that the School should have conducted several MDRs prior to the Student having to serve any disciplinary consequences. On XXXX, the Complainant told OCR that he requested a MDR after the XXXX disciplinary incident and that the District granted his request. He explained that the Section 504 team determined that the Student's behavior that resulted in the disciplinary consequences on XXXX was a manifestation of the Student's disability. The Complainant stated that the Student served each disciplinary consequence since the MDR was conducted after the disciplinary consequences were served and the District, after determining in the MDR that the disciplinary incidents were a manifestation of the Student's disability, refused to expunge the Student's disciplinary record. The Complainant noted that the Student received subsequent disciplinary referrals on XXXX, and that the District offered to conduct a MDR, but that he withdrew the Student from the District on XXXX.

The District contends that the Student's OSSs did not exceed ten full school days during the 2014-2015 school year, and, therefore, there was no significant change of placement that would have triggered the need for conducting a MDR. The District noted that it held a MDR, per the request of the Complainant, after the Student had been disciplined for six and a half days out of school. The District explained that District staff attempted to schedule a second MDR in March and April 2015 due to the Student's ongoing disciplinary infractions. The District noted that the Complainant withdrew the Student from the District prior the Section 504 team conducting the second MDR.

As noted above, OCR considers a series of short-term exclusions that add up to more than 10 days and create a pattern of exclusion may be a significant change in placement. In addition, in some cases, OCR treats in-school suspensions as suspensions that should be considered when determining whether a change in placement has occurred. Section 504 requires that the District conduct a MDR prior to a significant change in placement (over 10 days of suspension) and prior to each subsequent disciplinary suspensions. The regulation also requires that, if the Section 504 team determines that the Student's behavior that resulted in the disciplinary suspension was a manifestation of the student's disability, the District must re-evaluate the Student and determine whether the Student's educational placement is appropriate, and what, if any, modifications to that placement are necessary. OCR notes that there is no obligation under Section 504 that the District conduct a MDR prior to each disciplinary incident nor after a parental or guardian makes a request. Moreover, there is also no obligation under Section 504 that the Student's disciplinary record be expunged if the Section 504 team determines that the Student's behavior that resulted in the disciplinary referral was a manifestation of the Student's discipline.

Based on the above information, OCR has concerns that the District may have discriminated against the Student on the basis of disability when it did not conduct a MDR prior to the Student's XXXX suspension and prior to his subsequent suspensions. OCR notes that the behaviors exhibited by the Student that resulted in both the ISS and OSS were similar and directly related to the Student's diagnoses. OCR further notes that, after the MDR was held (at the Complainant's request)², the District acknowledged that it did not conduct a reevaluation of the Student after its determination that the Student's disciplinary incidents were manifestations

² OCR does note that the Student's Section 504 team met during this period to discuss the Student's suspension and his IAP; however, according to the District, this was not an MDR.

of the Student's disability. Based upon the Section 504 team's determination that the Student's disciplinary incidents were manifestations of the Student's disability, the School should have determined whether the Student's current IAP and BIP needed any additional modifications and whether the IAP and BIP were being implemented appropriately. Again, OCR notes that after the MDR was held, the Student was suspended at least three more times, and no subsequent MDRs were held. Prior to completing the investigation, the District requested to resolve this allegation.

ALLEGATION 2:

1. Legal Standard

The Section 504 regulation, at 34 C.F.R. § 104.33, requires school districts to provide a free appropriate public education (FAPE) to students with disabilities. An appropriate education is regular or special education and related aids and services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met and that are developed in compliance with Section 504's procedural requirements. OCR interprets the Title II regulation, at 28 C.F.R. §§ 35.103(a) and 35.130(b)(1)(ii) and (iii), to require school districts to provide a FAPE to the same extent required under the Section 504 regulation.

1. Background

In XXXX, the District developed the Student's BIP. Specifically, the Student's BIP required the Student's teachers to provide preferential seating, praise the student, and refer the student to counselor when necessary. On XXXX, the Section 504 team met to review the Student's IAP and provided the following accommodations: teacher will provide preferential seating, small group testing, extra time to complete large projects and assignments, and praise for positive behavior. On XXXX, the Section 504 team met, per the Complainant's request, to discuss the Student's disciplinary issues and concerns about how teachers were addressing the Student's ODD diagnosis. On XXXX, the Section 504 team met to review the Student's IAP and to discuss the Student's recent suspensions. At this meeting, the Section 504 team amended the Student's IAP to include the following accommodation to address behavior concerns: the teacher will find a School guidance counselor, coach, or school resource officer when the Student or the teacher feels that the Student needs to leave the room to talk about his feelings.

2. Analysis

The Complainant asserts that the District denied the Student a FAPE when it failed to implement the Student's Section 504 plan by failing to provide the Student an opportunity to "cool down." The District contends that, from XXXX to XXXX, neither the Student's IAP nor the Student's BIP required that the Student have an opportunity to "cool down." The District explained that the Student's IAP was amended on XXXX to include the provision described above.

OCR reviewed the Student's IAPs, BIPs, and disciplinary record for each incident. As mentioned above, the Student's BIP from August 2014 stated that the Student should be referred to the counselor when necessary and the Student's IAP was amended on XXXX to include an accommodation that teachers would find a School guidance counselor, coach, or school resource officer when the Student or the teacher feels that the Student needs to leave the room to talk about his feelings. OCR notes that there was no accommodation in the Student's BIP or in his

IAPs requiring that the Student have an opportunity to “cool down.” There is no documentation related to the interpretation of the XXXX IAP’s accommodation that requires teachers to refer the Student to a counselor when necessary. However, the District explained in its narrative and in its XXXX meeting summary notes, that it interprets the XXXX accommodation as requiring staff to refer the Student to a School counselor, coach, or school resource officer when the teacher or Student feels that the Student needs to leave the room to talk about his feeling to also require teachers to provide the Student a time out to cool down. The District acknowledged that on XXXX, and XXXX, the Student was not provided a time out to “cool down” due to the immediacy of the circumstances.

OCR next sought information regarding whether the Student was given the opportunity to see a counselor, consistent with the XXXX IAP, or to leave the room to discuss his feelings, consistent with the XXXX IAP. However, prior to completing the investigation, the District requested to resolve this allegation voluntarily. To complete the investigation, OCR would interview District and School staff to inquire about the School’s interpretation of the Student’s August 2014 IAP to determine whether the accommodation was or could have been interpreted as requiring school staff to provide the student a “cool down;” and whether the Student’s IAP and BIP were implemented properly.

ALLEGATIONS 3(a)-(b)

1. Legal Standard

The Title VI regulation, at 34 C.F.R. § 100.7(e), prohibits retaliation against any individual who asserts rights or privileges under Title VI or who files a complaint, testifies, assists, or participates in a proceeding under Title VI.

The Section 504 regulation, at 34 C.F.R. § 104.61, which incorporates the procedural provisions of the regulation implementing Title VI of the Civil Rights Act of 1964, prohibits retaliation against any individual who asserts rights or privileges under Section 504 or who files a complaint, testifies, assists, or participates in a proceeding under Section 504. The Title II regulation, at 28 C.F.R. § 35.134, contains a similar prohibition against retaliation.

When analyzing a claim of retaliation, OCR will look at: 1) whether the Complainant engaged in a protected activity (e.g., filed a complaint or asserted a right under a law OCR enforces); 2) whether the District took an adverse action against the Complainant; and 3) whether there is a causal connection between the protected activity and the adverse action. If all these elements are present, this establishes an initial, or prima facie, case of retaliation. OCR then determines whether the District has a legitimate, non-retaliatory reason for its action. Finally, OCR examines whether the District’s reason for its action is a pretext, or excuse, for unlawful retaliation.

2. Analysis-Allegation 3(a)

As an initial matter, OCR finds for the purpose of this investigation that the Complainant established a prima facie case of retaliation regarding the suspensions that were issued on XXXX. The Complainant engaged in a protected activity when he raised concerns about the Student’s disability and discipline record in XXXX. The District took an adverse action against the Student by disciplining the Student. Here, OCR notes, that two of the incidents, the XXXX

and XXXX disciplinary referrals, were issued prior to the Complainant engaging in a protected activity. Therefore, for these two (2) incidents, OCR finds that the Complainant failed to establish a prima facie case. Nonetheless, OCR finds that the Complainant established a prima facie case for the four (4) disciplinary referrals that were issued in XXXX.

Next, OCR considered the District's legitimate, non-retaliatory reason for the District's decision to discipline the Student. The District contends that the disciplinary referrals that were issued were based on the Student's behavior, not because the Complainant engaged in a protected activity by raising disability-related concerns to the School and District. The District asserts that the District had "legitimate and ample reason to discipline the Student" and that the Student's disciplinary sanctions complied with the District's disciplinary guidelines. OCR notes that the Complainant does not dispute the details of each incident.

Prior to continuing the investigation to determine whether the District's non-retaliatory reason was a pretext, or excuse for unlawful retaliation, the District volunteered to resolve this allegation. To complete the investigation, OCR would interview District administrators and School administrators and staff to inquire into the basis for each disciplinary incident.

3. Analysis- Allegation 3(b)

OCR finds that the Complainant established a prima facie case for retaliation because the Complainant engaged in a protected activity by advocating for the Student's disability and the District took an adverse action against the Student by issuing him a no trespass order on May 6, 2015.

Next, OCR considered the District's legitimate non-retaliatory reason for the District's decision to issue the trespass order. It is undisputed that on XXXX, the Student appeared at an afterschool practice and was involved in an incident that resulted in school staff asking the Student to leave school property and calling the Newberry County Sheriff's Office. The District contends that the School issued the no trespass notice because the Student "disrupted an after school sports practice, failed to obey school staff when told to leave, and used profanity toward and regarding (District) personnel present". The District explained that no trespass orders are only sought against individuals who are not subject to the school's rules and procedures and that the School sought a no trespass order against the Student since he was no longer a student of the District. The School's Principal "explained that the School will seek a no-trespass order when necessary to ensure and maintain the safety and wellbeing of students and staff during after regular school hours because [the School] is responsible for maintaining a safe environment."

Prior to continuing the investigation to determine whether the District's non-retaliatory reason was a pretext, or excuse for unlawful retaliation, the District volunteered to resolve this allegation. To complete the investigation, OCR would interview District administrators and School administrators and staff to inquire into the basis for the no trespass order and would request supplemental information regarding other individuals who received a no-trespass order.

ALLEGATIONS 4(a)-(c)

1. Legal Standard

The Title VI regulation, at 34 C.F.R. § 100.3(a), provides that no person shall be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under the District's programs or activities on the basis of race, color, or national origin.

When investigating an allegation of different treatment, OCR first determines whether there is sufficient evidence to establish an initial, or *prima facie*, case of discrimination. Specifically, OCR determines whether the District treated the Student less favorably than similarly situated individuals of a different race. If so, OCR then determines whether the District had a legitimate, nondiscriminatory reason for the different treatment. Finally, OCR determines whether the reason given by the District is a pretext, or excuse, for unlawful discrimination.

2. Analysis-Allegation 4(a)

The Complainant alleged that Student was treated differently than his white peers in XXXX when he was suspended from the XXXX team for three games. Specifically, the Complainant states that the Student was suspended from the team for three games after he left practice early without telling the XXXX coaching staff or getting his permission, which is something white XXXX players on the team did on a number of occasions but did not get disciplined.

The District disputes the Complainant's contention that the Student was suspended for three XXXX games, but acknowledges that the Student was suspended for two XXXX games. The District denies, however, that it treated him differently than his white peers when making that determination. According to the District, the Student was suspended after a series of unexcused absences and because he lied to coaching staff about at least one of those absences. Specifically, on XXXX, the Student had XXXX practice at 3:45 pm. However, he was seen by coaching staff leaving campus before practice and he did not tell anyone that he was doing so. When staff asked him about his absence, the Student responded that he had a doctor's appointment. According to the District, the Student recanted his excuse and apologized for lying and told coaching staff that he was just bored and did not want to go to practice that day. Subsequently, coaching staff suspended the Student for the final two games of the season. The District contends that no other players on the team were disciplined in this manner because there were no players who accumulated the same number of unexcused absences and/or lied to coaching staff about their attendance.

The District stated to OCR that there are no records, i.e., reports, emails, or notes, related to the suspension to corroborate their contentions, and that there were no other comparators for the XXXX school year, even though there were four suspensions the prior year. Furthermore, the District failed to provide any information or documentation related to the alleged multiple unexcused absences that the Student accumulated that factored into the coaching staff's decision to suspend him for the last two XXXX games. Prior to continuing the investigation, the District requested to resolve this allegation voluntarily. To complete the investigation, OCR would need to determine whether the District's non-discriminatory reason for suspending the Student for the last two games of the season was pretext for discrimination. In order to find this information, OCR would need to interview coaching staff and any other members of the XXXX team who might have information regarding the decision to suspend the Student for the final two XXXX games.

3. Analysis- Allegation 4(b)

According to the Complainant, the Student was treated differently than his white peers when the School's librarian (the Librarian) disciplined him during an incident that took place in January of 2015. Specifically, the Complainant alleged that the Librarian "wrote [the Student] up" after he stayed "late" in the cafeteria but did not discipline the White students, his friends, who were in the cafeteria as well.

As discussed earlier, when analyzing allegations of different treatment, OCR must first determine whether there was a prima facie case of discrimination, i.e., whether the Student was treated differently than his White peers. The District contends that the Student was never written up in the media center or library, as outlined in subsection b of Allegation 3. Moreover, it argues, that even if the Student was written up, as alleged, "nothing was filed and he suffered no discipline as a result."

According to the Student's discipline record, the Student was never given a discipline referral for an incident in the media center in XXXX. After reviewing the Student's entire discipline file, and each referral that was given in the School's media center, there is no indication that the Student was ever disciplined in the media center.³ Because there is no evidence that the Student was disciplined, as alleged, OCR was unable to find that the Complainant established a prima facie case of discrimination. As such, OCR found insufficient evidence to support the allegation that the Student was treated differently than his White peers as alleged in Allegation 4(b).

4. Analysis-Allegation 4(c)

The Complainant alleged that the Student was treated differently than his White peers when he was given a one day OSS on XXXX. Specifically, Complainant stated that the Student was given one day of OSS for "missing one of the two bells for class" but there were five White students who missed the same bell but were not given OSS.

The District admits to giving the Student two days of OSS on XXXX, but it denies that the District discriminated against the Student based on his race. Specifically, the District contends that the Student was given two days of OSS for skipping class and using profanity. According to the District, on XXXX, School staff found the Student in the cafeteria when he should have been in class. When School staff asked the Student where he was supposed to be, he became "argumentative and refused to answer." Staff then asked the Student to accompany them to the main office, at which point the Student began cursing. School staff then placed the Student in the front office and went to get the School Resource Officer (SRO) to help him cool down, which, the District notes, is one of the staff members identified on the Student's IAP as a person that he can talk to when trying to calm down. Before School staff could return, the Student left the office and was later found "roaming the halls." The District explained that the Student was given two days of OSS for the incident because it involved multiple infractions of the School's behavior code, including showing disrespect to multiple staff members, refusing to obey their requests, and using profanity.

³ OCR notes that there is an incident in the Student's discipline file that matches the Complainant's description of events, but this incident took place in the cafeteria on March 9, 2015, which is the incident relevant to subsection c of Allegation 4.

Prior to continuing the investigation to determine whether the District's non-discriminatory reason was a pretext, or excuse, for unlawful discrimination, the District volunteered to resolve this allegation. To complete the investigation, OCR would interview School staff that confronted the Student in the cafeteria on XXXX, and with any other students who might have information regarding the details of the incident.

CONCLUSION

OCR finds that there was insufficient evidence for the two disciplinary incidents in Allegation 2a and the incident involved in Allegation 4(b). As noted above, the District offered to resolve the other allegations. Pursuant to Section 302 of OCR's *Case Processing Manual*, the District signed the enclosed Resolution Agreement on July 31, 2018 which, when fully implemented, will resolve the allegations raised in this complaint. The provisions of the Agreement are aligned with the allegations and issues raised by the Complainant and the information obtained during OCR's investigation, and are consistent with applicable law and regulation. OCR will monitor the District's implementation of the Agreement until the District has fulfilled the terms of the Agreement. Failure to implement the Agreement could result in OCR reopening the complaint.

This concludes OCR's investigation of the complaint. This letter should not be interpreted to address the District'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 District 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 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, we will seek to protect personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released, to the extent provided by law.

We appreciate the District's cooperation in the resolution of this complaint. If you have any questions, please contact Zorayda Moreira-Smith at 202-453-6946 or Zorayda.Moreira-Smith@ed.gov or Eugene Sowa at 202-453-6869 or Eugene.Sowa@ed.gov, the OCR attorneys assigned to this complaint.

Sincerely,

Kristi R. Harris
Team Leader, Team IV

District of Columbia Office
Office for Civil Rights

Enclosure

cc: XXXXX