



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

December 19, 2016

*Via U.S. Postal Mail and facsimile at (843) 937-6323*

Dr. Gerrita Postlewait  
Superintendent  
Charleston County Public School District  
75 Calhoun Street  
Charleston, SC 29401

OCR Complaint No. 11-15-1390  
Letter of Findings

Dear Dr. Postlewait:

The Office for Civil Rights (OCR) of the U.S. Department of Education (the Department) has completed its investigation of the complaint we received on September 28, 2015 against the Charleston County Public Schools (the District). The Complainant alleged that the District discriminated against the Student on the basis of his disabilities during school year 2014-2015, when:

Allegation 1: The School failed to provide the necessary documentation to The College Board (the Board) so that the Student could be provided with extended testing time of time and a half (1.5x) on his Advanced Placement (AP) XXXX examination (the Exam), which he took in early May 2015.

Allegation 2: The School denied the Student a free appropriate public education (FAPE), when the Student's former XXXX teacher failed to upload the Student's grades to the School's on-line communication platform, PowerSchool, in violation of the Student's Section 504 Plan, from approximately April 1, 2015 through the end of school year 2014-2015.

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. Because the District receives Federal financial assistance from the Department and is a public entity, OCR has jurisdiction over it pursuant to Section 504 and Title II.

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

In reaching a determination, OCR reviewed documents provided by the Complainant and the District, and interviewed the Complainant and District staff.

After carefully considering all of the information obtained during the investigation, OCR identified a compliance concern regarding Allegation 1, which the District agreed to resolve through the enclosed Resolution Agreement (the Agreement). However, OCR found insufficient evidence to support Allegation 2. OCR's findings and conclusions are discussed below.

### **Background**

During school year 2014-2015, the Student was enrolled in XXXX.<sup>1</sup> The District identified the Student as a student with disabilities; specifically, XXXX. With respect to the timeframes in question, the District provided the Student with Section 504 Plans, dated February 13, 2015 and April 30, 2015.

### **Legal Standards**

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. Because the District receives Federal financial assistance from the Department and is a public entity, OCR has jurisdiction over it pursuant to Section 504 and Title II.

The Section 504 regulation, at 34 C.F.R. § 104.33(a), requires school districts to provide a FAPE to students with disabilities. The regulation, at 34 C.F.R. § 104.33(b)(1)(i) and 34 C.F.R. § 104.33(b)(2) defines 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.

### **Analysis**

#### **Allegation 1**

The Complainant alleged that the District discriminated against the Student on the basis of his disabilities, when the School failed to provide the necessary documentation to the Board so that the Student could be provided with 1.5x extended testing time on the Exam, which he took in early

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<sup>1</sup> All courses taught at the School are Honors AP courses. AP courses offer the student an opportunity to earn college credit while in high school and to earn a grade point average greater than 4.0 on a 4.0 scale. Students may begin taking Advanced Placement courses in XXXX

May 2015.<sup>2</sup> The Complainant informed OCR that the Student’s Section 504 Plan requires that the District provide him with 1.5x extended testing time on exams; however, the Student only became aware that he did not receive the required extended testing time when he took the Exam in May 2015. The Complainant acknowledged that the Board is required to approve the provision of testing modifications for students on AP exams, and that neither she nor the Student made any request for the School to provide documentation to the Board prior to the Exam so that the Student could receive testing modifications on the Exam. Regardless, the Complainant asserted that the School should have provided the Board with the necessary documentation so that the Student could receive 1.5x extending testing time on the Exam, based upon the Student’s Section 504 Plan.

During school year 2014-2015, the Student was enrolled in an AP XXXX course.<sup>3</sup> In May 2015, sometime between May 2 and May 6, 2015, the Student sat for the Exam, without any testing modifications. The District informed OCR that students who are enrolled in AP courses are required to take the AP exams for those courses in order to receive a final grade; however, students are not required to obtain a specific score on an AP exam for their courses. Therefore, the District stated the Student was required to take the Exam for his AP XXXX course.<sup>4</sup> The Student earned a score of 3 out of 5 points on the Exam.<sup>5</sup> OCR reviewed documentation from the Board that indicated that the application deadline for submitting a request for testing modifications/accommodations on AP examinations was February 19, 2015; however, as discussed above, neither the Complainant/Student, nor the District, requested testing modifications from the Board prior to the administration of the Exam. OCR reviewed the Student’s Section 504 Plans, dated February 13, 2015, as well as April 30, 2015, both of which required that the District provide the Student with 1.5x extended testing time on all exams.

OCR reviewed the Board’s website, which specified that testing modifications/accommodations cannot be provided to students with disabilities during the administration of AP exams, unless students received prior approval from the Board. The Board’s website also states that school/district-approved testing modifications/accommodations do not constitute Board accommodations. With respect to the application process for Board accommodations, the Board states a student must submit a complete request for such accommodations before a stated deadline, which includes submitting medical and other documentation related to his/her disability and that supports the need for an testing modification/accommodation, and the Board specifies that it has a

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<sup>2</sup> The Board is a not-for-profit organization which assists high school students prepare for transition to college through programs and services in college readiness, including the AP Program. See <https://www.collegeboard.org/about>.

<sup>3</sup> See [https://amhs.ccsdschools.com/about\\_us/2015-16\\_program\\_of\\_studies](https://amhs.ccsdschools.com/about_us/2015-16_program_of_studies).

<sup>4</sup> While AP courses are elective, any student enrolled in an AP course is required to take the AP course exam. The District provided OCR with a copy of the South Carolina’s Board of Education regulation 43-258.1. See <http://ed.sc.gov/sbe/state-board-of-education/additional-resources/regulations-table-of-contents/>. The regulation states that all students enrolled in AP courses for which funding is provided in accordance with the regulation are required to take the examination. In an email to OCR, dated March 15, 2016, the District confirmed that it administers the AP courses in compliance with this regulation.

<sup>5</sup> The Student’s score of 3 out of 5 classified him as “Qualified,” which meant that he could obtain credit and/or advanced placement in a similar course in a post-secondary institution. According to the Board, if a student earns an AP exam score of three or higher the student may receive, “[C]redit, advanced placement or both from [the student’s] college — nearly all colleges and universities in the United States . . . grant credit and placement for AP scores or acknowledge AP scores in the admission process.” See <https://apstudent.collegeboard.org/creditandplacement/how-to-earn-credit-for-your-scores>.

seven-week timeframe for processing a request. A student may request an accommodation directly from the Board without the participation of the school; however, in those instances, a student must still request a Student Eligibility form from their School counselor or Services for Students with Disabilities (SSD) Coordinator. The Board's website states that "[I]n most cases, students work with their school to request accommodations." If the Board denies or does not fully approve an accommodation request, the applicant may resubmit the request with additional documentation that supports the need for the accommodation.

OCR also reviewed the District's policies and procedures, which are maintained on the District's website. The District informed OCR that it does not have a specific policy or procedure that addresses the provision of disability-related testing modifications/accommodations on AP exams, and OCR was unable to locate any such policies and procedures on the District's website.<sup>6</sup> The School's Director of Guidance/SSD Coordinator (the Coordinator) and the Student's Section 504 Coordinator/Counselor (the Counselor) also confirmed that the District does not maintain any specific policies procedures for requesting testing modifications/accommodations for AP exams. Rather, they asserted that requests for accommodations on Board examinations are made by a student's parent and the Coordinator acts as a conduit between a student/parent and the Board. The Counselor told OCR that typically the issue is only raised with students/parents in Section 504 Team meetings if a student has been approved for testing modifications/accommodations during the student's XXXX, which is generally when students take AP exams, even though students are eligible to take AP courses beginning in XXXX. In addition, the District stated that during school year 2014-2015, there were no students for whom District personnel initiated a request for testing modifications accommodations on AP exams; rather, parents initiated such requests and received assistance from the District, as needed.

The Complainant stated that after the Student took the Exam, she contacted the counseling office and spoke with the Coordinator, and she informed the Coordinator that the Student took the Exam without accommodations.<sup>7</sup> The Complainant stated that the Coordinator informed her that it was the parent's responsibility to submit a request for accommodations to the Board. The Complainant stated that thereafter, she contacted the Board to determine what she needed to do to request an accommodation; however, the Board informed her that because the School had a Coordinator, then her request needed to be submitted through the Coordinator.

The Complainant stated that she subsequently contacted the Coordinator and the Counselor. The Complainant and the Counselor stated that the Counselor obtained a consent form signed and dated by the Complainant and the Student, on May 11, 2015 and May 12, 2015, respectively. The District facilitated the Complainant's request for testing modifications in the form of 1.5x extended testing time and sent the consent form on May 13, 2015, as well as documentation supporting the Complainant's request, on or about July 17, 2015.<sup>8</sup> Documentation provided by the

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<sup>6</sup> See <https://www.collegeboard.org/students-with-disabilities/request-accommodations>.

<sup>7</sup> The Coordinator is also one of two Section 504 Coordinators at the School. Responsibilities for students are divided among the two by alphabet. Another staff member served as the Student's Counselor/Section 504 Coordinator (the Counselor).

<sup>8</sup> The documentation included the following: a copy of the Student's Section 504 Plan; teacher surveys filled out by the Student's instructors describing how he uses testing modifications/accommodations in class; a copy of an Individual Evaluation Report dated June 2, 2014 conducted by the District; a Cognitive and Educational Evaluation

Complainant demonstrated that the Board received the School’s submission on May 13, 2015 and July 17, 2015.

The Board initially denied the Complainant’s request for testing modifications in a letter sent to both the Complainant and the Coordinator, dated July 9, 2015. In the denial letter, the Board stated that the documentation provided “does not support a history of consistent academic difficulties, which would support the need for testing accommodation on [Board] tests.” The letter also indicated although the Board had denied the initial request, “If you can present new or additional documentation to support your request for accommodations, you may do so at this time.” However, the letter did stress that “[A] review process takes 7 weeks from the date of the new or additional documentation.”

The Complainant and the District stated that additional documentation was submitted to the Board, but they provided conflicting information regarding who sent that information to the Board.<sup>9</sup> Documentation submitted by the District indicates that additional information was submitted to the Board on July 17, 2015.

In a letter dated August 7, 2015, the Board notified the Coordinator and the Complainant that all of the requested accommodations were approved and could be utilized for any upcoming Board examination.<sup>10</sup> However, the Complainant and the District stated that because the Exam was only offered once per year, the Student would have had to wait until May 2016, approximately nine months after receiving approval, or a year after the Student initially took the Exam in May 2015. The Complainant told OCR that the Student did not retake the Exam in May 2016 because of the passage of time from when he originally took the course during school year 2014-2015.

Based on the forgoing, OCR determined that there was sufficient evidence to substantiate a violation of Section 504 and Title II with respect to Allegation 1. Specifically, OCR determined that the District/School failed to provide the Student with or otherwise notify/assist the Student with obtaining testing modifications for the Exam, as required by his Section 504 Plans, dated February 13, 2015 and April 30, 2015, to the extent that it was able.

Although OCR determined that the Board, and not the District/School, reviews and approves students’ requests for testing modifications/accommodations on AP/Board examinations, the

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dated May 8, 2014; a private psychoeducational consultation report dated January 29, 2015; and, an Individual Evaluation conducted in April 2008; and, an Individual Evaluation dated January 30, 2008.

<sup>9</sup> The Complainant stated that at that point she contacted the Board to determine what additional information was required; although the Complainant could not recall exactly what she provided the Board, she believed that she sent documentation providing the Student’s disability diagnosis and a handwriting sample. Conversely, the Coordinator told OCR that because the Board’s denial letter arrived during the summer, at which time Counselor is not on-site, the Coordinator worked with the Complainant to fax the Complainant’s documentation to the Board. Both the Counselor and the Coordinator reported that it is the School’s practice for parents to gather additional information requested because they are often in a better position to obtain it, such as a doctor’s letter or new evaluation. The School will then forward whatever additional information is gathered to the Board; as the Coordinator asserted she did in this matter. The Complainant denied that she provided the Coordinator with any paperwork to submit; rather, she asserted that she contacted the Board and she faxed additional information.

<sup>10</sup> In the interim, the Board sent the Complainant and the District a letter, dated July 23, 2015, stating that the Student had been approved for extended testing time for all subject areas except for Writing; the other areas were Reading, Listening, Speaking, and Mathematical Calculations. As stated above, the Board subsequently approved the Student for extended testing time in all subject areas in the letter dated August 7, 2015.

District/School assists students and their parents with such requests through the District's/School's SSD Coordinator. In addition, the District/School requires that all students enrolled in AP courses take the corresponding AP exam for that course in order to receive a final grade in the course. Further, the District acknowledged to OCR that for students in XXXX, who have been approved for testing modifications/accommodations pursuant to their Section 504 plans or other individualized education programs, the School will notify students/parents of the Board process for requesting such testing modifications/accommodations, as they pertain to AP exams, during Section 504 Team or other meetings. However, the District did not provide similar notifications to students/parents of students enrolled in XXXX, even though students are eligible to take AP courses beginning in XXXX.

With respect to the Student, OCR determined that the Student's Section 504 Plans, dated February 13, 2015, as well as April 30, 2015, both required that the District provide the Student with 1.5x extended testing time on all exams. However, OCR determined that the School failed to notify the Complainant/Student of the process for requesting testing modifications/accommodations on AP exams despite the requirements of the Student's Section 504 Plans, as well as the District's/School's requirement that the Student take the Exam in order to receive a final grade in his AP XXXX course. Consequently, the Complainant failed to submit a request to the School or to the Board for the Student to receive testing modifications on the Exam until after the Exam was administered in May 2015. OCR determined that once the School was made aware of the Complainant's request, the Counselor and the Coordinator facilitated the submission of the Complainant's request for accommodations to the Board; and, the Board approved the Complainant's request in a letter sent on August 7, 2015. However, at that time, the Student had already taken the Exam without the opportunity to utilize the extended testing provision contained in his Section 504 Plan(s); and, the Student elected not to retake the Exam in May 2016.

Accordingly, OCR negotiated the Agreement with the District to remedy the violation OCR identified with respect to Allegation 1, pursuant to Section 303(b) of OCR's *Case Processing Manual*.

### Allegation 2

The Complainant alleged that the District discriminated against the Student on the basis of his disabilities. Specifically, the Complainant alleged that the School denied the Student a FAPE, when the Student's former XXXX teacher (the Teacher) failed to upload the Student's grades to the School's on-line communication platform, PowerSchool, in violation of the Student's Section 504 Plan, from approximately April 1, 2015 through the end of school year 2014-2015.

The Complainant informed OCR that she would check PowerSchool on a daily basis; however, the Teacher often failed to update the platform, as required. The Complainant stated that she requested that the Teacher update the Student's grades in a timely manner, so that the Student's private tutor could monitor the Student's progress. The Complainant provided OCR with a copy of the Student's grades in his XXXX class, as reflected in PowerSchool on the dates that she printed such records. During the period in question, each record provided by the Complainant indicated that the grades in the record were updated respectively on: April 13, 2015; April 24, 2015; April 27, 2015; and, April 28, 2015. The Complainant asserted that an assignment due on

April 13, 2015, as well as many other grades, was not posted until April 28, 2015, after she notified the District she had hired an attorney.

OCR determined that the timeframe referenced by the complainant (from April 1, 2015 through the end of school year 2014-2015) constituted part of the fourth quarter of school year 2014-2015, which began on approximately March 26, 2015 and ended on June 1, 2015. OCR reviewed the Student's Section 504 Plans, dated February 13, 2015, and April 30, 2015, which were in effect during the time period in question and state that "Teachers will update [Student's] grades in PowerSchool at least every two weeks (District requirement)."

OCR reviewed the Complainant's PowerSchool records, as well as the Student's grades as provided by the District with respect to the District's fourth academic quarter, particularly with respect to any activity corresponding with April 28, 2015. OCR compared the Complainant's PowerSchool records from April 13, April 24, and April 27, 2015 with the record from April 28, 2015. The District provided OCR with a PowerSchool record from the end of the fourth quarter, but it did not indicate the dates on which grades were entered. Therefore, OCR could only assess whether the Teacher entered grades between April 13 and April 28, 2015, and compare such grades with the Teacher's gradebook, which indicated the dates on which assignments were completed and the final grade for each assignment. On April 28, 2015, the PowerSchool record indicates that the Teacher had entered 10 grades for the Student, as of that date. In comparing the April 28, 2015 PowerSchool record with the prior PowerSchool records and the Teacher's gradebook, OCR determined that there was one homework assignment that the Teacher failed to enter within the two-week timeframe.<sup>11</sup> Specifically, a homework assignment that was due on March 26, 2015 (referred to as "Cuaderno pp. 58-59") only appeared on the April 28, 2015 PowerSchool records, and it did not appear on any prior record; therefore, the assignment was entered in PowerSchool in 33 days instead of 14 days.<sup>12</sup>

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<sup>11</sup> The other grades were entered within the two-week timeframe, and in a timely manner. Specifically, one grade dated April 6, 2015 (Vocabulary 5.2 Quiz) was entered as of the April 13, 2015 PowerSchool record. Two grades, both dated April 13, 2015 (Chapter 5 Detective Project and Chapter 5 Test) were both entered as of the April 27, 2015 PowerSchool record. Two grades, both dated April 17, 2015 (Gram 1 Worksheet and Cuaderno pp. 61-62), a grade dated April 23, 2015 (Cuaderno pp. 63-64), and a grade dated April 27, 2015 (Ch. 6 Gram Quiz), were all entered as of the April 28, 2015 PowerSchool record.

In addition, with respect to a quiz that was due on April 9, 2015 (Quiz 5.2 Grammar), the Teacher entered a grade of 8/25 points for the Student, as of the April 13, 2015 PowerSchool record, which was timely. However, both the Complainant and the Teacher acknowledged that the grade entered was inaccurate and remained incorrect on April 24, 2015. The Teacher corrected the grade from one of 8/25 points, to one of 23/25 points as of the April 27, 2015 PowerSchool record; therefore, the Teacher corrected the Student's grade within a four-day timeframe of when the PowerSchool record was to be posted.

Further, with respect to a quiz that was due on April 20, 2015 (6.1 Vocab Quiz), the Complainant's last PowerSchool record, dated April 28, 2015 did not include a grade for that quiz. The Student's final report card shows the Student earned a grade of 90/100 on that quiz; however, based on the documentation provided, OCR was unable to ascertain whether the grade for the quiz was entered within the required two-week timeframe.

<sup>12</sup> The Teacher informed OCR that she did not grade the homework; rather, she only assessed whether the homework was completed or not. She explained that she assigned 10 out of a possible 10 points if the student completed the homework; which resulted in a possible grade of 100 simply for turning in the work. OCR determined that the Student was awarded full credit, or 100 points, for homework assignments during the fourth quarter.

The Complainant told OCR that after her attorney notified the School of his involvement by letter dated April 24, 2015, and she and her attorney met with the District attorney and staff the following week, erroneous scores were corrected and grades were entered as required. The Counselor informed OCR that during a telephone call with the Complainant, the Complainant complained that the Teacher failed to enter the Student's grades into PowerSchool as required, and she was concerned because she was not able to monitor the Student's progress and confirm whether he was turning in his assignments; however, the Counselor could not recall the date of the conversation. The Counselor informed OCR that she met with the Complainant and the Teacher to discuss this matter; she could not recall when the meeting occurred, the specific issues discussed or the outcome. However, the District informed OCR that sometime in May 2015, the Counselor provided School staff, including teachers, with training on the implementation of students Section 504 Plans. The District also informed OCR and provided documentation that the Teacher received a similar separate training from the Principal around that same timeframe. Further, neither the Complainant nor the District provided OCR with information to indicate that the Teacher failed to update any of the Student's other grades within a timely manner during the fourth quarter of school year 2014-2015.

OCR takes into consideration that not every failure to implement an aid, service, or accommodation/modification in a Section 504 Plan automatically constitutes a denial of FAPE. Rather, OCR considers the frequency of the failure to implement the plan and what impact the failure had on the student's ability to participate in or benefit from a recipient's services, programs, and activities. During the timeframe in question, the fourth quarter of school year 2014-2015, and based on the limited documentation and information provided by the Complainant and the District, OCR determined that with the exception of one homework assignment, all of the Student's grades were entered into PowerSchool within the two-week timeframe required by the Student's Section 504 Plans. The Complainant also informed OCR that once she complained to the School about her concerns and explained that the Student's private tutor was checking the Student's progress, the Teacher began entering the Student's grades within the two-week timeframe. Further, the Complainant provided no information to indicate that the Student suffered any harm as a result of the Teacher's failure to enter one grade in a timely manner; and, the Student received an overall grade of 91/100 in the Teacher's course. Further, OCR determined that the District provided staff with training, including the Teacher, on their obligations to implement students' Section 504 Plans.

Based on the foregoing, OCR determined that there was insufficient evidence to support the Complainant's allegation of disability discrimination. Specifically, OCR did not find that the Teacher's failure to enter one of the Student's grades into PowerSchool within the required two-week timeframe constituted a denial of FAPE, or otherwise constituted a violation of laws OCR enforces, as alleged. Accordingly, OCR will take no further action with respect to Allegation 2.

### **Conclusion**

On December 7, 2016, the District agreed to implement the enclosed Agreement, which commits the District to take specific steps to address the identified areas of noncompliance, as discussed in Allegation 1. The Agreement entered into by the District is designed to resolve the issues of noncompliance. Under Section 303(b) of OCR's *Case Processing Manual*, a complaint will be considered resolved and the District deemed compliant if the District enters into an agreement

that, fully performed, will remedy the identified areas of noncompliance (pursuant to Section 303(b)). OCR will monitor closely the District's implementation of the Agreement to ensure that the commitments made are implemented timely and effectively. OCR may conduct additional visits and may request additional information as necessary to determine whether the District has fulfilled the terms of the Agreement and is in compliance with Section 504 and Title II with regard to the issues raised. As stated in the Agreement entered into by the District on December 7, 2016, if the District fails to implement the Agreement, OCR may initiate administrative enforcement or judicial proceedings, including to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings, including to enforce the Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

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, or participates in an OCR proceeding. 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 regarding this letter, please contact Josie Evola, the OCR attorney assigned to this complaint, at 202-453-5908 or [josie.evola@ed.gov](mailto:josie.evola@ed.gov).

Sincerely,

/S/

Letisha Morgan,  
Supervisory Investigator  
Office for Civil Rights  
District of Columbia Office

Enclosure: Copy of Resolution Agreement

cc: John Emerson, District Counsel  
(Via electronic mail at [JOHN\\_EMERSON@charleston.k12.sc.us](mailto:JOHN_EMERSON@charleston.k12.sc.us))