



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION XV

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CLEVELAND, OH 44115

REGION XV
MICHIGAN
OHIO

Mr. Rick Todd
Superintendent
Pinckney Community Schools
2130 East M-36
Pinckney, Michigan 48169-8186

Re: OCR Docket #15-13-1083

Dear Mr. Todd:

This letter is to notify you of the disposition of the complaint filed on December 26, 2012, with the U.S. Department of Education's Office for Civil Rights (OCR) against Pinckney Community Schools (the District), alleging that the District discriminated against students on the bases of national origin (Arab American) and race (African American) at Pinckney Community High School. Specifically, the complaint alleged that, during the 2012-2013 school year, students subjected minority students to derogatory comments, ethnic and racial slurs, and physical threats and attacks based on their race and/or national origin, and that District staff and administrators were made aware of the harassment but failed to take appropriate action to stop the harassment or prevent its reoccurrence, thereby creating a hostile educational environment. The complaint also alleged that, during the xxxxxxxxxx school year, the District imposed more severe discipline on a student (the Student) because of his national origin xxxxxxxxxxxxxxxx xxxxxxxxxxxx than similarly situated non-minority students.

Please note that in our letter to the District, dated March 11, 2013, we inadvertently included a statement that the complaint also included an allegation that, during the 2012-2013 school year, District staff also subjected students to national origin and race-based harassment. This statement was incorrect in that the allegation regarding District staff was not alleged to have occurred during the 2012-2013 school year; thus, OCR dismissed the allegation as untimely effective March 11, 2013. OCR apologizes for any confusion this may have caused with respect to the investigation.

OCR is responsible for enforcing Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, and its implementing regulation at 34 C.F.R. Part 100 (Title VI). Title VI prohibits discrimination on the basis of race, color, or national origin by recipients of Federal financial assistance from the Department. As a recipient of Federal financial assistance from the Department, the District is subject to Title VI. Accordingly, OCR had jurisdiction to investigate this complaint.

Based on the complaint allegations, OCR investigated the following legal issues:

- Whether the District, on the basis of race and national origin, interfered with or limited the ability of students to participate in or benefit from the services, activities, or privileges provided by the District by effectively causing, encouraging, accepting, tolerating, or failing to correct a hostile environment based on race and national origin, of which it had actual or constructive notice, in violation of the Title VI implementing regulation at 34 C.F.R. § 100.3(a) and (b).
- Whether the District, on the basis of national origin, denied a student any service or benefit provided under its program; provided services or benefits that were different from or provided in a different manner from services or benefits provided to other students; and/or restricted the student in the enjoyment of any privilege or advantage enjoyed by others, in violation of the Title VI implementing regulation at 34 C.F.R. § 100.3(b)(1)(i), (ii), and (v).

To investigate this complaint, OCR interviewed the Student's parent and District staff. OCR also reviewed documents provided by the Student's parent and the District. OCR unsuccessfully attempted to interview the Student. OCR also was unsuccessful in its attempts to contact the Student's parent to provide her the opportunity to respond to the information OCR received from the District. After a careful review of the information obtained during the investigation, OCR finds that there is sufficient evidence to conclude that the District failed to appropriately address an ongoing hostile climate at the high school based on race and national origin of which it was aware. However, OCR finds that there is insufficient evidence to conclude that the District disciplined the Student more severely than other students based on his national origin, as alleged in the complaint. OCR sets forth the bases for these determinations below.

Summary of OCR's Investigation

- **Background**

During the xxxxxxxx school year, the Student was a xxxxxxxx xxxxxx student in the District's high school. The Student's parent identified the Student's national origin as xxxxxxxx and alleged that he was disciplined on the basis of his national origin. The District's enrollment records identified the Student's race as xxxxxx. In addition, the Michigan Department of Education's (MDE) official records classified the Student as xxxxxx. The District does not generally record students' national origins, except for the category of "Hispanic." The Student's classification as xxxxxx in both the District's enrollment records and the MDE records is consistent with the 1997 Office of Management and Budget standards on race and ethnicity.

- **Information Provided by the Student's Parent**

At the time the complaint was filed, the Student was scheduled to xxxxxxxx from the District in xxx xxxxx. He had been enrolled in the District since the xxxxx grade and had, according to the Student's parent, been experiencing harassment during his enrollment at the District, especially at the high school, on the basis of his national origin. According to the Student's parent, the Student

has a xxxxxx xxxx xxxx xxx xxxxxx xxxxxx The Student's parent stated that he looks "very ethnic" and people ask if he is xxxxxxxx xx xxxxxxxx The Student's parent told OCR that the Student had been called "the n-word" and xxxxxx xxxxxxxxxxxx at school, by his classmates and that the District failed to address the harassment.

X---Paragraph Redacted---X

- **Information Provided by the District**

X---Paragraph Redacted---X

Administrator B told OCR that, although the Student reported on multiple occasions that he had been called the n-word, Administrator B did not review those incidents collectively to consider whether there was a problem with the school's environment; rather, he told OCR that he considered each incident independently. Administrator B acknowledged to OCR that even though he could not

definitively prove each incident occurred he did have concerns that at least some of the alleged incidents had occurred.

X---Paragraph Redacted---X

OCR found no formal referrals for discipline for the Student between xxxxxxxx x xxx xxxxxxxx xxx xxxxx but found witness statements referencing incidents that occurred during that time period that appear to be related to the Student's parent's allegations of continued harassment and the Student's request to contact the xxxxxxxx Administrator B told OCR that the Student complained to him on xxxxxxxx xx xxxxx that he was still being harassed and that he was not satisfied with the school's handling of his complaints and asked to talk to the xxxxxxxx Administrator B told OCR that he called the xxxxxxxx and the Student spoke to a xxxxxxxx who was identified by name. The District produced a copy of a handwritten note, dated xxxxxxxx xx xxxxx that indicated that the Student spoke to the xxxxxxxx

In addition to the above complaints involving the Student, the District provided OCR with information about complaints of bullying and harassment based on race for the 2011-2012 and 2012-2013 school years. With one exception, these incidents did not involve repeat offenders or victims. Specifically, OCR's review of the documentation found that during the 2011-2012 school year the District was made aware of a total of five incidents of alleged harassment: a student allegedly called the xxxxxxxx a "fucking colored kid;" two students, in separate incidents, posted profane and/or racial comments online; a student made a video for a Spanish class project in which the student and others were speaking in a potentially racist manner; and a student made a joke and laughed about a book that describes the author's experience in the concentration camps at Auschwitz and Buchenwald. OCR notes that four of these five incidents occurred in April and May 2012.

OCR's review of the documents found that during the 2012-2013 school year the District also was made aware of a total of five incidents of alleged harassment: a student made rude comments to other students based on their race and sexual orientation; a student allegedly used a racially inappropriate screen name during an online game with other students; a student drew a swastika on a cookie to be sent to a homeless shelter for teens; a student made a comment regarding race; and a student yelled the n-word in the hallway in the direction of another student. OCR's review found that all five of these reports were made in a four-month time period, between October 2012 and January 2013.

The specific circumstances surrounding these incidents and the actions taken by the District with respect to the students' discipline will not be described in detail here, as they are protected from disclosure under the Family Educational Rights and Privacy Act (FERPA). However, the information OCR reviewed during the investigation supports that, generally, the District investigated these incidents and when appropriate took appropriate disciplinary action, consistent with its policies for handling such incidents. OCR found no significant variations from the stated policy between the discipline imposed on the Student for his comments regarding xxxxxxxxxx xxx and discipline imposed on other students for incidents of racial harassment.

- **The District's Harassment and Discipline Policies**

OCR reviewed the District's notice of nondiscrimination, which is available on the District's website. In its nondiscrimination statement, the District states that it does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or transgender identity), age, disability, religion, height, weight, marital status, familial status, military status, ancestry, genetic information, or other legally protected category in its programs and activities, and provides equal access to the Boy Scouts and other designated youth groups. The notice also states that the District's nondiscrimination policy applies to all board of education policies concerning staff, students, educational programs and services, employment, and individuals and companies with whom the District does business.

During the course of OCR's investigation, the District revised its harassment policies. At the time the complaint was filed, the District maintained a "Grievance Procedure for Nondiscrimination," dated October 2011. Under this grievance procedure, individuals wishing to make a complaint were required to file a formal complaint with the building administrator. District staff told OCR that the assistant principals at the high school were the building administrators who were the individuals charged with investigating and responding to all informal complaints stemming from the high school. Only if the parties could not resolve the matter could a formal grievance be filed with the District's civil right coordinator. The civil rights coordinator was to investigate the complaints within five business days and provide a reply in writing to the grievant. The grievant could appeal the finding to the District's superintendent, and, if necessary, to the District's board of education.

In March 2014, the District advised OCR that it had adopted a new "Anti-Harassment" policy, which re-states the District's prohibition on discrimination based on the above-listed protected categories, and indicates that this policy applies to the District community, as well as third parties. OCR reviewed the revised policy and found that it identifies examples of prohibited bullying and harassing behavior, including examples of racial and national origin harassment. The anti-harassment policy also sets forth a complaint procedure for anyone wishing to report such behavior, identifies the individuals to whom such complaints should be made, offers an optional informal complaint procedure as well as a formal complaint procedure, offers individuals the opportunity to present evidence and witnesses, states that investigations will ordinarily be completed within 15 business days of the complaint being received, states that a written decision will be provided to the parties, identifies possible disciplinary action, and prohibits retaliation. Although the District stated that the anti-harassment policy has been in effect since it was adopted by the District in March 2014, OCR noted that the October 2011 grievance procedure discussed above is still, as of the date of this letter, posted on the District's website under "Grievance Procedure for Nondiscrimination."

With respect to training on discrimination and harassment, Administrator A told OCR that high school freshmen take a character education class that discusses their role in the world and how to relate to others. The high school also has had in place, since 1996, a positive peer education and peer mediation program. In addition, approximately 60 students each year attend Camp Skyline, a two-and-a-half-day camp for leaders in the school that includes sensitivity training. High school students and staff have been participating in this camp since 1996. It was unclear to OCR, however, from the summary that the District provided to OCR whether the Camp Skyline program also focuses on race and/or national origin discrimination or harassment; rather, the summary provided

to OCR indicates that during the camp there is a discussion about stereotypes based on different school activities, such as football, band, skateboarding, and cheerleading. Administrator A also told OCR that the high school has bullying and cyberbullying programs and recently hosted a national program and a play on tolerance.

Administrator B told OCR that, at the time of the Student's complaints, he "may" have used the PPI program or the high school's social worker to help educate students on racial harassment; however, he could not provide any examples of such situations. He also told OCR that the high school has a school climate committee and that the group surveys the students every year on topics including addiction, drugs, alcohol, bullying, and harassment. He did not recall, however, whether the survey includes areas of concern addressing race and/or national origin discrimination or harassment.

OCR's review of the information provided indicated that the District has several programs at the high school designed to address bullying; however, the information provided did not appear to address discrimination and/or harassment based on race or national origin.

It is also unclear from the information provided what, if any, training District staff receive regarding recognizing and responding to incidents of race and/or national origin discrimination or harassment. Administrator B told OCR that he had some training on discrimination and/or harassment provided by other District administrators, but did not provide any more specific information. Administrator A reported to OCR that the administrators responsible for investigating complaints of discrimination and harassment do not generally receive training on investigating such complaints; rather, they receive training on any new updates to District policies.

With respect to discipline, Administrator A stated that students and adults alike can make complaints regarding students' conduct. These complaints are handled by one of the high school's two assistant principals depending on the grade of the student(s) involved in the complaint. The principal is typically not involved in discipline until it is appealed. Administrator A told OCR that the discipline at the high school is meant to be a learning opportunity, not just a punishment.

OCR reviewed the District's applicable discipline guidelines that were included in the Student Handbook for the 2012-2013 school year. As noted above, the District has a progressive discipline policy for "like" offenses and classifies the infractions into six groups. OCR's review found that, for less severe infractions, the code allows the District to issue less exclusionary discipline for initial offenses; however, for more severe infractions such as threats or aggressive behavior, students receive more severe penalties for the first offense. Specifically, the discipline code provides the following:

- Group I infractions includes offenses such as disrespect to other students, disruptive behavior, littering, and pushing other students. The discipline penalties for infractions in this group range from a warning to out-of-school suspension (OSS).
- Group II infractions involve offenses such as disrespect or harassment student-to-student, gross profanity, participation in a food fight, pushing, wrestling, or tripping. The discipline penalties for infractions in this group range from detentions to up to 10 days OSS and, depending upon the severity, possible recommendation for expulsion.

- Under Group III, the offense list includes but is not limited to sexual harassment, instigation or deliberate participation in food fight, and student to student physical threat. The discipline for this category of infractions ranges from up to three days ISS to up to 10 days OSS and possible recommendation for expulsion.
- Group IV infractions include offenses such as aggressive behavior or threats toward staff and fighting with students. The consequences for these offenses range from up to five days ISS to up to 10 days, and possible recommendation for expulsion.
- Group V infractions includes offenses such as assault and battery, false fire alarms, gross sexual imposition, possession of knives, and possession of smoke bombs or fire crackers. The consequence for these offenses range from up to 10 days ISS to 10 day OSS, and possible recommendation for expulsion.
- Group VI is reserved for the most severe infractions that result in automatic expulsions.

Applicable Legal Standards

- **Harassment Based on Race or National Origin**

The regulation implementing Title VI, at 34 C.F.R. § 100.3, provides that no person shall, on the basis of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program to which Title VI applies.

Harassment on the basis of race, color, or national origin is a form of discrimination prohibited by Title VI. Racial or national origin harassment is abusive or intimidating behavior, based on race or national origin, which is sufficiently severe, persistent or pervasive that it creates a hostile environment that interferes with an individual's ability to participate in or benefit from a recipient's program. A school district may be found to have violated Title VI if it has effectively caused, encouraged accepted, tolerated or failed to correct a hostile environment, based on race or national origin, of which it has actual or constructive notice.

To establish a violation of Title VI under the hostile environment theory, OCR must find that: (1) a hostile environment on the basis of protected class existed; (2) the recipient had actual or constructive notice of the hostile environment; and (3) the recipient failed to respond adequately to redress the hostile environment. Whether conduct constitutes a hostile environment must be determined from the totality of the circumstances.

To determine if harassment on the basis of protected class is severe, pervasive, or persistent, OCR examines the context, nature, scope, frequency, duration, and location of the incidents, as well as the identity, number, and relationships of the persons involved. The harassment must in most cases consist of more than casual or isolated incidents to establish a Title VI violation. Generally, the severity of the incidents needed to establish a hostile environment under Title VI varies inversely with their pervasiveness or persistence.

When OCR evaluates the severity of harassment, the unique setting and mission of an educational institution must be taken into account. An educational institution has a duty to provide a

nondiscriminatory environment that is conducive to learning. In addition to the curriculum, students learn about many different aspects of human life and interaction from school. The type of environment that is tolerated or encouraged by or at a school can therefore send a particularly strong signal to, and serve as an influential lesson for, its students.

As with other forms of harassment, OCR must take into account the relevant particularized characteristics and circumstances of the victims, especially the victims' protected class and age, when evaluating the severity of incidents at an educational institution. If OCR determines that the harassment was sufficiently severe that it would have adversely affected the enjoyment of some aspect of the recipient's educational program by a reasonable person, of the same age and protected class as the victim, under similar circumstances, OCR will find that a hostile environment existed.

Once a recipient has notice of a hostile environment, the recipient has a legal duty to take reasonable steps to eliminate it. Thus, if OCR finds that the recipient took responsive action, OCR will evaluate the appropriateness of the responsive action by examining reasonableness, timeliness, and effectiveness. The appropriate response to a hostile environment must be tailored to redress fully the specific problems experienced at the institution as a result of the harassment. In addition, the responsive action must be reasonably calculated to prevent recurrence and ensure that participants are not restricted in their participation or benefits as a result of a hostile environment created by students or non-employees. Examples of possible elements of appropriate responsive action include imposition of disciplinary measures, development and dissemination of a policy prohibiting racial and national origin harassment, provision of grievance or complaint procedures, implementation of racial and national origin awareness training, and provision of counseling for the victims of the harassment.

Although Title VI does not require a recipient to have specific anti-discrimination or anti-harassment policies, in evaluating a recipient's response to a Title VI hostile environment, OCR will examine disciplinary policies, grievance policies, and any applicable anti-harassment policies. OCR also will determine whether the responsive action was consistent with any established institutional policies or with responsive action taken with respect to similar incidents.

- **Different Treatment in Discipline on the Basis of National Origin**

The Title VI regulation, at 34 C.F.R. § 100.3(b)(1)(i), (ii), and (v), prohibits a recipient from, on the basis of race, color or national origin, denying students any service or benefit provided under the recipient's program; providing services or benefits that are different from or provided in a different manner from services or benefits provided to other students; or restricting students in the enjoyment of any privilege or advantage enjoyed by others.

In determining whether a recipient subjected a student to different treatment on the basis of race, color, or national origin in violation of Title VI, OCR looks to whether there were any apparent differences in the treatment of similarly-situated students on the basis of the protected class. If so, OCR assesses the recipient's explanation for any differences in the treatment of similarly-situated students to determine if the reasons are legitimate or are merely a pretext for unlawful discrimination. Additionally, OCR examines whether the recipient treated the student(s) in a

manner that is consistent with its established policies and procedures and whether there is any other evidence of discrimination based on the protected class.

Analysis and Conclusion

- **Alleged Harassment Based on Race and/or National Origin**

In the instant case, OCR finds that the evidence supports that national origin and racial minority students at the District's high school were subjected to severe, pervasive, and persistent race-based and national origin-based comments by multiple students at the school, including frequent use of the n-word and other derogatory comments based on race and national origin¹. As described above, even though the incidents regarding the Student could not be definitively proven, the District acknowledged that it had concerns that xxx xxxxxxxx was, in fact, being called the n-word. In addition, the District reported that, from just October 2012 to January 2013, there were multiple incidents of racially harassing behavior at the high school that resulted in student discipline. The District had a similar spike in racially harassing incidents from April to May 2012, including students making racially inappropriate comments in classroom assignments or during classroom discussions. OCR notes that the Student's undisputed comments about the xxxxxxxxxx xxx xxxxxxxx also contributed to the high school's racially hostile environment. OCR also finds that the District had actual notice of the hostile environment as it was in receipt of numerous complaints from the Student and the Student's parent, and took action to investigate other incidents of harassment that resulted in discipline for both the Student and other students.

Thus, OCR sought to determine whether, once on notice of the racially hostile environment, the District adequately responded and took reasonable steps to redress the hostile environment and eliminate it. Although the District demonstrated that it disciplined the perpetrators of the harassment when the incidents could be definitively proven to have occurred, OCR concludes that the disciplinary actions taken were not sufficient to adequately redress the overall hostile environment.

As an initial matter, OCR learned that the District administrators who were tasked with investigating harassment complaints had not received training on how to investigate Title VI harassment complaints. As described above, the lack of training in this area is most evident with respect to the documentation of investigations in that the evidence shows that Administrator B failed to accurately record the alleged incidents of harassment with respect to the Student. Administrator B's recollection and personal record of events contradicted both the District's own records as well as the documentation provided by the Student's parent, which OCR found to be reliable. Additionally, the evidence shows that Administrator B, who was charged with investigating the complaints regarding the Student, failed to follow the District's procedures that were in existence at the time, in that he failed to provide any response to the Student regarding the outcome of the investigations of his multiple complaints. In addition, Administrator B failed to recognize that, once the Student told him the harassment was continuing and that he was dissatisfied with the investigation, a formal investigation was necessary under the District's grievance procedures. OCR notes that in one instance in which the District was made aware of alleged

¹ References to "racial harassment" and "racially hostile environment" as used in this section of the letter cover both harassment based on race and harassment based on national origin.

incidents of Title VI harassment against the Student and the xxxxxxxxxxx xxxxxxxx involving use of the n-word and referring to the Student as a xxxxxxxxxxx Administrator B acknowledged that he did nothing to investigate the complaint.

Moreover, even in the face of multiple complaints alleging racial harassment from April to May 2012, and again from October 2012 to January 2013, the District never made a determination as to whether a racially hostile environment existed, as Administrator B told OCR that he examined the incidents independently of one another without considering whether the reports, taken together, indicated a pattern. Thus, the District's remedial action was limited only to issuing discipline to the involved students. The District did not take any action with respect to the high school's educational environment as a whole, such as disseminating the anti-harassment policy to staff and students, conducting staff and student training related to the prohibition on harassment under Title VI, or follow up in any manner with the Student or the larger student body.

Based on the foregoing, OCR finds sufficient evidence to conclude that the District failed to adequately respond to complaints of racial and national origin harassment, thereby creating a hostile educational environment, in violation of Title VI.

- **Alleged Different Treatment in Discipline**

With respect to the different treatment in discipline allegation, OCR finds that the evidence is insufficient to conclude that the Student, whose national origin is identified by his parent as xxxxxxxx xxx xxx xxx xx xxxxxxxxxxx xx xxxxxxxxxxx xxxxxxx xx xxxxxx was disciplined more harshly on the basis of national origin for his comments regarding the xxxxxxxxxxx xxx xxxxxxxxxxx attacks than other students for similar racially insensitive remarks, or received more severe discipline for his role in the fight in the restroom than similarly situated students of different races or national origin.

With respect to the xxxxxxxxxxx xxx comments, neither the Student's parent nor the Student (in contemporaneously recorded documents) denied that the Student uttered some of the alleged comments regarding the xxxxxxxxxxx xxx attacks. The evidence shows that several students were offended by the Student's insensitive comments and brought them to the attention of Administrator A, who discussed them with the Student's parent and the Student. Based on this information, the District, consistent with its discipline policy and the Student's parent's request, assigned the Student a xxxxxxx xxx The evidence shows that students who had similarly made racially offensive comments during the 2011-2012 and 2012-2013 school years were similarly disciplined consistent with the District's stated discipline policy for offenses of this nature. Thus, OCR concludes that the District did not impose more severe discipline on the Student, as alleged.

With respect to the xxxxxxx xx xxxxx fight in the restroom, the weight of the evidence shows that the Student engaged in an altercation with a group of students in the xxxxxxx that spilled over into the xxxxxxx The District investigated the fight and elected to assign the Student a xxxxxxx for his role in the incident, and not an xxx as alleged by the Student's parent. The evidence also shows that another non-minority student involved in the altercation was similarly disciplined. OCR also notes that the evidence shows that the Student's detention was removed from his discipline record. Therefore, OCR finds that the Student, whose discipline was consistent with

that of a first offense of this nature under the District's discipline code, was not treated differently or disciplined more severely than other non-minority students involved in the same incident.

Based on the foregoing, OCR finds that the evidence is insufficient to support a finding that the Student was disciplined more severely than other non-minority students based on race or national origin in violation of Title VI, as alleged.

Resolution

To resolve the above-described compliance finding regarding Title VI harassment, the District submitted the enclosed resolution agreement (the Agreement) to OCR on April 14, 2015. Under the terms of the Agreement, the District will:

- revise, as necessary, Policy 1661 "Anti-Harassment" to ensure it is reasonably designed to prevent, address, and respond to incidents of harassment; add a clarifying statement to the high school's code of conduct stating the prohibition on harassment specifically includes harassment on the basis of race, color, and/or national origin; and
- once these policies are approved by OCR, publish them on its website and provide a copy to all District staff; provide an age-appropriate orientation program for the high school's students regarding the District's anti-bullying/anti-harassment policies; provide training to the high school's staff on Title VI and the District's revised harassment policies and procedures; and appoint someone to conduct an annual assessment of the District's educational climate at the high school to assess the effectiveness of its anti-harassment program and to identify any additional measures beyond those outlines in the agreement necessary to ensure an educational environment free of race and/or national origin discrimination, including harassment.

Conclusion

Based on the foregoing, OCR is closing its investigation as of the date of this letter. OCR will, however, monitor the District's implementation of the Agreement. Should the District fail to fully implement the Agreement, OCR will take appropriate action to ensure the District's full compliance with Title VI.

This concludes OCR's investigation of the complaint and 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 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 harmed individual may file a 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.

We appreciate the cooperation provided to OCR by the District during the course of this investigation. OCR is committed to a high-quality resolution of every case. If you have any questions about this letter or OCR's resolution of this case, you may contact Ms. xxxx xxxx at (216) 522-xxxxx

For questions about implementation of the Agreement, please contact Mr. xxx xxxxxxxx who will be monitoring the District's implementation, by e-mail at xxxxxxxxxx@ed.gov or by telephone at (216) 522-xxxxx We look forward to receiving the District's first monitoring report by June 1, 2015.

Sincerely,

/s/

Meena Morey Chandra
Director

Enclosure