



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

1350 EUCLID AVENUE, SUITE 325
CLEVELAND, OH 44115-1812

REGION XV
MICHIGAN
OHIO

April 15, 2022

Via E-mail Only to jesstark@kgvlaw.com

Jessica M. Stark, Esq.
Kluczynski, Girtz, & Vogelzang
3033 Orchard Vista Drive SE, Ste 308
Grand Rapids, Michigan 49546

Re: OCR Docket No. 15-22-1033

Dear Ms. Stark:

This letter is to notify you of the disposition of the above-referenced complaint filed on XXXXX, with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against Charlotte Public Schools (the District) alleging that the District discriminated against a student (the Student) on the basis of disability. Specifically, the complaint alleged that during the XXXX-XXXX school year, the District treated the Student differently based on disability when it XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX.

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

Based on the complaint allegations, OCR opened an investigation of the following legal issue: whether the District, on the basis of disability, excluded a student from participation in, denied a student the benefits of, or otherwise subjected a student to discrimination in its programs and activities based on the student's disability in violation of the regulation implementing Section 504 at 34 C.F.R. § 104.4, and the regulation implementing Title II at 28 C.F.R. § 35.130.

XXXX - PARRAGRAPH REMOVED – XXXX.

XXXX - PARRAGRAPH REMOVED – XXXX.

OCR reviewed documents provided by the District and the Complainant. OCR also conducted interviews with the Complainant and the XXXXX XXXXX XXXXX XXXXX XXXXX

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

www.ed.gov

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.

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 individual may file another complaint alleging such treatment.

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

OCR looks forward to receiving the District's first monitoring report by **May 30, 2022**. For questions about implementation of the Agreement, please contact Ms. Aleksandra Chojnacki. Ms. Chojnacki will be overseeing the monitoring and can be reached by telephone at (216) 522-4944 or by e-mail at Aleksandra.Chojnacki@ed.gov. If you have questions about this letter, please contact me by e-mail at Nathaniel.McDonald@ed.gov.

Sincerely,

/s/

Nathaniel J. McDonald
Supervisory Attorney/Team Leader

Enclosure