UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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REGION XI
NORTH CAROLINA
SOUTH CAROLINA
VIRGINIA
WASHINGTON, DC

November 22, 2016

Dr. Steven L. Walts
Superintendent
Prince William County Public Schools
Edward L. Kelly Leadership Center
14715 Bristow Road
Manassas, Virginia 20112

Re: OCR Complaint No. 11-15-1360
Letter of Findings

Dear Dr. Walts:

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 4, 2015, against Prince William County Public Schools (the Division). The complaint was filed on behalf of a student (the Student) at XXXX School (the School). It alleged that the Division:

1. Did not tailor the evaluation process to meet the Student's needs;
2. Failed to take appropriate steps to identify the Student as a child with a disability until August 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 Division receives Federal financial assistance from the Department and is a public entity, OCR has jurisdiction over it pursuant to Section 504 and Title II.

In reaching a determination, OCR reviewed documents provided by the Complainant and the Division and interviewed the Complainant and Division faculty/staff. After carefully considering all of the information obtained during the investigation, OCR identified violations regarding both allegations. OCR also identified a violation of Section 504 regarding the evaluation of students with food allergies Division-wide. The Division agreed to resolve all violations through the enclosed resolution agreement. OCR's findings and conclusions are discussed below.

Background

The Student, a XXXX at the School during the 2015-2016 school year, has attended school in the Division since XXXX. She has had a health treatment plan (HTP) every year since kindergarten for severe food allergies.

Before the start of the 2015-2016 school year, the Complainant contacted the School about the possible need for a Section 504 plan to address the food allergy. The School's School-Based Team referred the Student for evaluation on September 3, 2015 "to determine if [the Student] requires special education services." The meeting notes provided that "[a] special education evaluation is required prior to the Section 504 eligibility." The Complainant did not consent to several components of the evaluation, including a hearing test and academic assessment.

An eligibility meeting was held on XXXX. The team found that there was insufficient information to complete the IDEA eligibility process and refused to consider eligibility under Section 504.

The Complainant has continued to refuse to consent to the evaluations the Division deemed necessary to complete the IDEA eligibility process, and the Division has continued to refuse to consider eligibility under Section 504.

Legal Standards

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. Implementation of an Individualized Education Program (IEP) developed in accordance with the Individuals with Disabilities Education Act is one means of meeting this standard. 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.

The Section 504 regulation, at 34 C.F.R. § 104.35(a), requires a school district to evaluate any student who needs or is believed to need special education or related services due to a disability. A district must conduct an evaluation before initially placing the student in regular or special education and before any subsequent significant change in placement.

In interpreting evaluation data and making placement decisions, the Section 504 regulation, at 34 C.F.R. § 104.35(c), requires that a school district draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; establish procedures to ensure that information obtained from all such sources is documented and carefully considered; ensure that the placement decision is made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and the placement options; and ensure that each

student with a disability is educated with peers without disabilities to the maximum extent appropriate to the needs of the student with a disability.

While the Section 504 regulation requires a school district to conduct an evaluation of any student believed to need special education or related services before taking action toward initial placement, the regulation does not impose a specific timeline for completion of the evaluation. Optimally, as little time as possible should pass between the time when the student's possible eligibility is recognized and the district's conducting the evaluation. An unreasonable delay results in discrimination against students with disabilities because it has the effect of denying them meaningful access to educational opportunities provided to students without disabilities. Timeframes imposed by the Individuals with Disabilities Education Act (IDEA) as well as state timelines for special education evaluations are helpful guidance in determining what is reasonable. The IDEA regulation, at 34 C.F.R. § 300.301(c)(1), requires that school districts complete evaluations within 60 days of receiving parental consent for the evaluation unless the state has established a different timeline, in which case evaluations must be completed within the timeline established by the state. Virginia state regulations generally require that all evaluations and decisions about eligibility be completed within 65 business days of the receipt of the referral by the special education administrator or designee (8VAC20-81-60(b)(1)(g)).

To determine whether a health care plan satisfies a school district's FAPE obligations under Section 504, OCR examines whether the school district complied with the procedural requirements of the Section 504 regulation with respect to evaluation, placement, and procedural safeguards.

Allegation 1

The Complainant alleged that the Division failed to tailor an evaluation to address the Student's needs when evaluating the Student for special education services.

Evaluation/Eligibility Process

On July 14, 2015, the Complainant emailed the Student's XXXX counselor about the possible need for a Section 504 plan to address safety concerns related to a severe nut allergy.

On September 3, 2015, the School-Based Team met to refer the Student for an evaluation. The Complainant, one of the Division's regional 504 coordinators (the 504 Coordinator), the assistant principal, a general education teacher, the School's speech/language pathologist, and the chair of the School's special education department attended the meeting. The referral form provides that "[a] special education evaluation is required prior to the Section 504 eligibility." The referral form states that the group determined additional data was needed in the areas of academic and/or communicating performance, cognitive ability and/or processing, health/medical, and hearing in order "to determine if [the Student] requires special education services." There was no further written explanation as to why these particular evaluations were recommended. The Complainant noted a partial consent on the form, writing in by hand that her consent was "per page 5 only."

The Prior Written Notice (PWN) from the September 3, 2015, meeting provides that the special education evaluation was requested to "determine if [the Student] requires special education services and if so, under what category." It repeated that "a special education evaluation is required prior to the Section 504 eligibility." The PWN further provides that the parent disagreed with conducting a "formal evaluation for performance and/or cognitive ability" because the Student "has a medical diagnosis and does not require cognitive and academic performance." In a follow up email to the assistant principal later that day, the Complainant explained that she consented only to a summary assessment by the school psychologist.

The Complainant told OCR that at the September 3, 2015 meeting, the 504 Coordinator told her that for the Student to be considered for eligibility for accommodations or related services under Section 504, the Student must first be found to not be eligible for services under IDEA. The 504 Coordinator, the Division's compliance supervisor, the Division's Director of Special Education, the School's principal, and the School's special education department chair all confirmed in interviews with OCR that it was Division policy that the eligibility team must decide that a student is either eligible or ineligible under the IDEA before considering whether a student is eligible for services under Section 504. The Division's Office of Special Education's Administrative Procedural Manual provides that "When a disability under section 504 is suspected, the [Division] 504 process is initiated by first determining eligibility under IDEA. If the student does not meet criteria under IDEA, eligibility under 504 may be considered." The Division's Section 504 Procedural Manual adds that "[t]here is no right to an independent evaluation under Section 504."

The Complainant told OCR that the 504 Coordinator also told her during the September 3, 2015, meeting that academic assessments were required because "it is the process in Prince William County." In interviews with OCR in April 2016, the speech/language pathologist, general education teacher, and 504 Coordinator told OCR that most areas of evaluation that were checked off were chosen by the team in order to determine whether her food allergy was affecting those areas of her performance, i.e., whether or how it was affecting her academic and/or communicating performance, her cognitive ability and/or processing, and her hearing. For the health/medical assessments, the speech/language pathologist, general education teacher, and 504 Coordinator asserted that the team needed updated information from the Student's doctor. The special education department chair and assistant principal said the areas of evaluation were required in order to get more information in those areas of evaluation, although there were not any specific academic, cognitive, or hearing concerns. The speech/language pathologist, department chair, general education teacher, assistant principal, and 504 Coordinator also stated that the hearing evaluation was required by law or regulation. No staff person reported any existing specific concerns regarding the Student in any of the areas of evaluation or any suspected areas of disability beyond the reported food allergy.

An IDEA eligibility meeting was held on XXXX, attended by the Complainant, the assistant principal, the general education teacher, the special education chair, the school psychologist, the 504 Coordinator, the school social worker, and a 504 Supervisor. The school-based members of the team concluded that additional information was required in order to determine if the Student was eligible for special education services. The team completed the worksheet for Other Health Impairment, finding that the Student had a documented health impairment, namely asthma and

food allergies; that the health impairment did not impact the Student in the areas of strength, vitality, or alertness; that additional information was required to determine whether there was an adverse effect on educational performance; and that the Student did not require specialized instruction and accommodations due to the health impairment. The team therefore found the Student ineligible for special education services.

In interviews with OCR, members of the team explained that although the team marked on the paperwork at the XXXX, meeting that the Student was ineligible for special education services under the IDEA, they in fact decided that they did not have enough information to determine whether the Student was eligible or ineligible for special education services under the IDEA. Because the team found that there was not enough information to complete the IDEA eligibility process, the team refused to consider eligibility under Section 504. In making its decision, the team reviewed a September 15, 2015, psycho-educational evaluation that "suggested no academic or cognitive concerns" for the Student and concluded that "no further evaluation of these areas is needed in order to determine if she is eligible for special education services."

Immediately after the conclusion of the eligibility meeting, the team convened a second meeting to discuss the "instructional/behavioral needs of the student" and "referral for evaluation/reevaluation." The referral form provides that the School convened the meeting because the medical information submitted by the Complainant led the Division to "suspect the presence of a disability and additional information is required to determine [the Student's] eligibility for special education services as well as eligibility under Section 504." The referral form also states that the Complainant's previously "withdrawn consent for Teacher Educational Reports and hearing screening . . . does not allow [the Division] to proceed with the evaluation." The team decided to initiate the process for an initial evaluation for special education services. The team determined that it needed evaluations of the Student's academic and/or communicative performance, health/medical, hearing, and a consultation between the Division physician and the Student's physician. The Complainant gave consent only for the discussion between the two physicians.

School staff told OCR in interviews that the academic assessment was required to get information from the Student's teachers about her performance in class, and reiterated that the hearing test was required for IDEA evaluations and could possibly reveal fluctuating hearing. They again did not articulate any specific concerns regarding the Student. The general education teacher was unsure as to why an academic assessment was required, as all of the information necessary was already in the Student's record. She opined that requiring the academic assessment and the hearing test were just part of the process. The 504 Supervisor told OCR that the academic assessment and the hearing test were required under the IDEA, not Section 504.

In an XXXX, follow-up email to members of IEP team, the Complainant requested that the team use all data currently available to find the Student ineligible for special education services and recommend consideration for services under Section 504.

On XXXX, the 504 coordinator responded to the Complainant via email, copying the 504 supervisor. She stated that they needed evaluations to address academic performance, medical history, and a hearing screening to make a "proper determination" regarding the Student's

eligibility under the IDEA and Section 504. In support of the need for a hearing screening, she cited a regulation of the Virginia Administrative Code requiring a hearing screening prior to initial determination of eligibility for special education services. She added that the amount of information required is determined by the multidisciplinary committee, and cited standard language on evaluation standards, including the requirement that the evaluations will include those "tailored to evaluate the specific areas of educational need." In response, the Complainant requested "detailed evidence which justifies the need for each of these assessments, specific to my child."

On XXXX, the 504 coordinator replied via email to the Complainant, reiterating that the Division "must first initiate the eligibility process under the IDEA before [the Student's] eligibility under Section 504 can be considered," that Virginia regulations require a hearing screening for any child being evaluated for eligibility under the IDEA, and that the eligibility team needs more information about the Student's academic performance to determine whether her disability creates an adverse impact on her educational performance as part of the IDEA eligibility process. She provided that because the Complainant had not consented to these evaluations, they could not move forward with the eligibility process and would continue to implement the Student's HTP. The 504 Coordinator's supervisor, the Division-wide compliance supervisor, and the Director of the Office of Special Education were copied on the email.

No further meetings have been held to consider eligibility under Section 504 or the IDEA. The School continues to implement the Student's HTP.

Analysis

OCR finds sufficient evidence to conclude that the Division failed to ensure that the Student is receiving FAPE in violation of 34 C.F.R. § 104.33, which requires the provision of regular or special education and related services designed to meet the individual educational needs of students with disabilities as adequately as the needs of students without disabilities, by refusing to consider her eligibility for services under Section 504. OCR further finds sufficient evidence to conclude that the Division violated 34 C.F.R. § 104.35(b), which requires that tests and other evaluation materials include those tailored to assess specific areas of educational need.

The Division asserted repeatedly that it needed a hearing screening and an academic assessment to complete the Student's consideration for eligibility under the IDEA. The Division explained that the hearing screening was required under Virginia's IDEA regulations, and the academic assessment was required to determine whether her disability created an adverse impact on her educational performance as part of the IDEA eligibility process.[1] The Division refused to consider eligibility under Section 504 until it completed its determination under the IDEA.

[1] While OCR enforces neither IDEA nor Virginia's state regulations pertaining to implementation of IDEA, OCR notes that the Division did not appear to base its decision to require these assessments in order to determine eligibility for services based on the Student's suspected needs. Specifically, the Division had already determined that the Student's health impairment did not impact her strength, vitality, or alertness; and that she did not require specialized instruction.

The Division violated Section 504 when it failed to determine whether the Student was eligible for services under Section 504. The eligibility team had sufficient information available to it to consider the need for a 504 Plan in XXXX. At no point did Division staff articulate a need for additional information needed to consider eligibility under Section 504. The team recommended that additional academic and hearing assessments unrelated to the Student's allergies be conducted to decide whether she needed services under IDEA. These assessments were not chosen based on the individualized needs of the Student, who was only suspected of having a nut allergy. Instead, the hearing screening was required to meet a Virginia IDEA regulation and the academic assessment was required for potential IDEA eligibility. Neither of these justifications have any bearing on whether a Student may need services under Section 504. Although the eligibility team did assert at the XXXX meeting and in a follow-up email on XXXX, that the additional information was needed for the 504 eligibility determination, this assertion was never supported by reasoning or documentation and was contradicted by the 504 coordinator's XXXX email explaining that the assessments were needed for the IDEA eligibility decision and that the 504 eligibility process could not proceed until the IDEA eligibility process was complete. The Division's narrative response to the OCR complaint also stated that the academic assessment was required to determine whether the Student's allergies were "adversely affecting her educational performance," which is the IDEA standard, and that the hearing screening was required by Virginia regulations implementing the IDEA.

In interviews, several staff members asserted that the academic assessment and hearing test were required to determine whether the Student's food allergy had an effect on her academics and hearing, respectively. OCR finds this assertion to be lacking in credibility and a *post hoc* justification for the failure to determine eligibility under Section 504. This assertion was not included in any of the contemporaneous documentation of the team meetings and there is no indication in the Student's history or current performance that her food allergy affects her academic performance or her hearing. Taken to its logical end, this reasoning would lead the School to conduct a full battery of special education evaluations on each enrolled student to determine whether they had deficiencies in any possible area of evaluation. Further, the Division acknowledges that the Student was never referred to the 504 evaluation committee for eligibility consideration under Section 504, undermining any potential claim that a hearing test was necessary for determining eligibility under Section 504 for the Student's nut allergy.

Although OCR has provided that school systems "may use the same process to evaluate the needs of students under Section 504 as they use to evaluate the needs of students under the IDEA,"[2] we find that, in this case, even though the Complainant refused consent for the additional assessments, the Division had enough information on XXXX, to consider the Student's eligibility as a student with a disability who may be in need of related services under Section 504.[3] Thus, OCR has sufficient information to conclude a violation of Section 504 in the Division's failure to continue with the 504 eligibility process, using the existing data for the purpose of determining whether the Student has a physical or mental impairment that substantially limits one or more major life activities.

[2] 504 FAQ #20, http://www2.ed.gov/about/offices/list/ocr/504faq.html.

[3] "In amending the Act, Congress directed that the definition of disability shall be considered broadly and that the determination of whether an individual has a disability should not demand extensive analysis." (OCR's Dear Colleague Letter dated January 19, 2012).

Furthermore, the Division's insistence on determining eligibility under the IDEA before considering eligibility under Section 504 created an unreasonable delay in considering the Student for eligibility and potentially providing services under Section 504. Although Section 504 does not impose a specific timeline for completion of the eligibility process, optimally, as little time as possible should pass between the time when the student's possible eligibility is recognized and the district's completing the evaluation. An unreasonable delay results in discrimination against students with disabilities because it has the effect of denying them meaningful access to educational opportunities provided to students without disabilities. Virginia state IDEA regulations provide a good rule of thumb for a reasonable timeline. Those regulations generally require that all evaluations and decisions about eligibility be completed within 65 business days of the receipt of the referral by the special education administrator or designee (8VAC20-81-60(b)(1)(g)). Here, the referral was made on XXXX. The 65-day suggested completion date passed on or around XXXX. More than a year later, the Division has not yet considered eligibility under Section 504. This delay is unreasonable and discriminates against the Student because it has the effect of denying her the ability to know whether the Division is failing to provide her meaningful access to educational opportunities.

We note that the fact that the Student is receiving services pursuant to an HTP does not alter the requirement that the Division determine whether she is eligible for services under Section 504 as a student with a disability. The Student's HTP is not comparable to a Section 504 plan. Division and School staff stated in interviews that HTPs are developed by the parent, the school nurse, and the student's doctor and distributed to the student's teachers. The Division's HTP provisions[4] also state that HTPs are reviewed by the school nurse, parents, and physicians. The provisions further state that a child may be excluded from school if provision of the HTP is temporarily inadvisable or unavailable. The only appeal procedure described allows a parent to appeal a denial of administration of a treatment procedure to the Supervisor of School Health Services. The Division's HTP provisions do not provide Section 504 protections, *e.g.*, they include no provisions for requiring that the Division draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; for establishing procedures to ensure that information obtained from all such sources is documented and carefully considered; ensuring that any placement decision is made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and the placement options; and for ensuring that each student with a disability is educated with peers without disabilities to the maximum extent appropriate to the needs of the student with a disability. The Division's HTP provisions also do not contain a system of procedural safeguards that includes notice, an opportunity for parents to examine relevant records, and an impartial hearing with an opportunity for participation by parents and representation by counsel.

We also note that the Division's written policy and confirmed practice requiring a determination of eligibility under the IDEA before considering eligibility under Section 504 violates Section 504. This case demonstrates that this policy can lead to denial of services for students with disabilities whose eligibility for services under Section 504 can be determined without some of the evaluations that may be necessary to complete the IDEA eligibility process. Other students

[4] Located at http://pwcs.schoolfusion.us/modules/groups/homepagefiles/cms/493839/File/Regulations/R757-3.pdf.

may have undergone evaluations not tailored to assess specific areas of educational need, and students in the future risk a denial of services under Section 504 should the parents object to the evaluations deemed necessary for an IDEA eligibility determination but not necessary for a Section 504 eligibility determination.

Allegation 2

The Complainant alleges that the Division failed to take appropriate steps to identify the Student as a child with a disability until XXXX.

The Division first became aware of the Student's possible disability related needs in 2009 when the Student was given an HTP for severe nut allergies. The Student was not referred for an evaluation for special education or related services until after the Complainant sent her XXXX, email inquiring into a possible need for services under Section 504. At this point, the Division concluded that these allergies were severe enough to recommend an evaluation for special education services.

OCR finds sufficient evidence to conclude that the Division violated Section 504 by failing to evaluate the Student for special education or related services in a timely fashion. The Division had access to the same information for the preceding six years that it had in summer 2015 that the Student had a severe nut allergy and failed to recommend or initiate an evaluation for services as required by Section 504. This violates 34 C.F.R. § 104.35(a), which requires a school division to evaluate any student who needs or is believed to need special education or related services due to a disability.

Additional Violation

In the course if our investigation, OCR learned that none of the students at the School with an HTP for a severe food allergy with the exception of the Student at issue in this complaint had been referred for an evaluation for special education or related services for the severe food allergy.[5] School staff told OCR in interviews that it is the practice at the School to provide students with severe food allergies with HTPs, with the Principal asserting that it is common practice within the Division.

One teacher told OCR that not every student with a severe food allergy at the School would necessarily have an HTP. She has students with food allergies and/or who require Epi Pens who do not to her knowledge have an HTP or other formal plan.

The failure to consider these students for evaluation for special education or related services raised a concern with OCR that the Division was violating Section 504 by failing to evaluate every student who needs or is believed to need special education or related services due to a disability. Because of this concern, OCR surveyed three other schools in the Division – one elementary school, one middle school, and one high school – and learned that no students with severe food allergies at those schools had been referred for an evaluation for special education or related services for the severe food allergy.

[5] The students were not considered for eligibility under the IDEA or under Section 504 for their food allergies.

This student data conflicts directly with the assertions of Division-level administrative staff within the Division's Office of Special Education that all students with health treatment plans would be referred to a school-based intervention team for consideration for evaluation under Section 504 or the IDEA. The Director of Special Education told OCR that the Division would look at every life-threatening food allergy under the IDEA.

OCR finds sufficient evidence to conclude that the Division is not evaluating every student who needs or is believed to need special education or related services due to a disability. At least twenty-eight other students at the Student's school have food allergies, but none have been referred for evaluation for special education or related services. At the three other schools reviewed by OCR, sixty students had HTPs for severe food allergies and had never been referred for evaluation for special education or related services for their food allergies. Although OCR does not presume that each of these students would ultimately be found eligible for services under Section 504 or the IDEA, the fact that none have even been referred for evaluation provides sufficient evidence to conclude that the Division has violated Section 504 by failing to refer students for evaluation that they believed or should have believed needed special education or related services due to a disability, namely a severe food allergy.

Conclusion

On November 21, 2016, the Division agreed to implement the enclosed Resolution Agreement (Agreement), which commits the Division to take specific steps to address the identified areas of noncompliance. The Agreement entered into by the Division 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 Division deemed compliant if the Division enters into an agreement that, fully performed, will remedy the identified areas of noncompliance (pursuant to Section 303(b)). OCR will monitor closely the Division'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 Division 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 the by the Division on November 21, 2016, if the Division 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 Division 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 Division'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 Division 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 Division's cooperation in the resolution of this complaint. If you have any questions regarding this letter, please contact Nicole Dooley, the OCR attorney assigned to this complaint, at 202-453-5675 or Nicole.Dooley@ed.gov.

Sincerely,

/S/

Michael Hing
Supervisory Attorney
Office for Civil Rights
District of Columbia Office

Enclosure

cc: Anne Witt, Division Attorney