



U.S. DEPARTMENT OF EDUCATION
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OFFICE FOR CIVIL RIGHTS
SOUTHERN DIVISION

DISTRICT OF COLUMBIA OFFICE
District of Columbia, North Carolina, South Carolina, Virginia

January 8, 2007

Patrick T. Andriano, Esq.
Reed Smith, LLP
Riverfront Tower
901 East Byrd Street, Suite 1700
Richmond, VA 23219-4068

Re: Complaint No: 11-06-1147
Resolution/Closure Letter

Dear Mr. Andriano:

The purpose of this letter is to inform you of the results of our investigation of the above-referenced complaint, which was filed on March 27, 2006 with the District of Columbia Office, Office for Civil Rights (OCR), U.S. Department of Education (Department). The Complainant alleges that Gloucester County Public Schools (the Division) discriminated against the Student on the basis of her disabilities (peanut and treenut allergies, or PTAs) during the 2005/2006 school year by denying her a free and appropriate public education (FAPE), that is, regular or special education and related aids and services that are designed to meet her needs as adequately as it meets the needs of students without PTAs, specifically, by failing to timely develop and implement a Section 504 or other Plan that adequately addresses her PTA-related needs and ensures a safe educational environment for her.

As we informed the Division in our prior letter, OCR is responsible for enforcing certain Federal civil rights statutes and regulations, including Section 504 of the Rehabilitation Act of 1973 (Section 504) and its implementing regulation, 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, which prohibit discrimination on the basis of disability by public entities, including public education systems and institutions, regardless of whether they receive Federal financial assistance from the Department. Because the Division is a recipient of Federal financial assistance

Our Mission is to ensure equal access to education and to promote educational excellence throughout the Nation.

