

COLLIER COUNTY PARENTS SEEKING REFORM

NAPLES FL 34114

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July 17, 2007

Mr. Roger Mills, Attorney
US Office for Civil Rights – Region IV
61 Forsyth Street, SW – Suite 3B70
Atlanta, Ga. 30323

Re: Class Discrimination Complaint vs Collier County School Board Docket No: 07-1264

Dear Mr. Mills:

In our most recent telephone conference of July 12, 2007, I understood:

1. Your office was focusing on the central issue of Retaliation and Coercion under OCR guidelines, in rendering your decision to initiate an investigation of the above-captioned Complaint.
2. You needed me to address in writing the timely filing of the Complaint, under OCR guidelines.

Foremost, under Article I, Section 107 Determine whether the Complaint is Timely, the guideline states, "Timely complaints may include those where the complainant alleges a continuing discriminatory policy or practice". This Complaint very specifically requests an OCR investigation of "the pattern of widespread discrimination in a comparison of the two most recent Due Process proceedings in Collier County, Fl., under this guideline. While the Due Process proceedings in the Case 1 D.H. Summary did conclude beyond the 180 day OCR Complaint time frame, the Case 2 B.C. Summary did not, and it is the comparative analysis of the two cases that establish and prove a continuing discriminatory policy and practice on behalf of CCSB.

Secondly, under Section 108 Determine Whether a Waiver Should be Granted, the guideline states a waiver may be granted if "the complainant could not reasonably be expected to know the act was discriminatory within the 180 day period, and the complaint was filed within 60 days after the complainant became aware of the alleged discrimination". Only as the Case 2 B.C. Due Process proceedings were prolonged, and the duplicate pattern of the delay and denial of both (a) Due Process and (b) continued services to the child, did the "widespread pattern of discrimination" become evident to the filing parties, thereby resulting in the timing of the Complaint filing. Therefore, if necessary, request for a waiver under these guidelines would certainly be authorized, and is hereby requested. I trust this correspondence satisfies your requirements, unless notified otherwise.

Do know that a full copy of the OCR Complaint, with supporting documents, is being forwarded to the Office of Special Education Programs (OSEP), with a formal complaint relative to the IDEA Due Process proceedings, in these two cases.

Respectfully Submitted,

William Hughes

Co-founder Collier-ESE-Reform
Class Representative, OCR Complaint vs CCSB
Parent Advocate

cc: Sheila Friedman, Office of Special Education Programs