



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Jason S. Miyares
Attorney General

January 4, 2023

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SENT VIA UPS & EMAIL

Dr. Michelle C. Reid, Superintendent
Fairfax County Public Schools
Gatehouse Administration Center
8115 Gatehouse Road
Falls Church, VA 22042
superintendent@fcps.edu

Ann Bonitatibus, Principal
Thomas Jefferson High School for Science and Technology
6560 Braddock Road
Alexandria, VA 22312
anbonitatibu@fcps.edu

**Re: NOTICE OF INVESTIGATION:
THOMAS JEFFERSON HIGH SCHOOL FOR SCIENCE AND
TECHNOLOGY AND FAIRFAX COUNTY PUBLIC SCHOOLS**

Dear Dr. Reid and Ms. Bonitatibus:

It has come to my attention that Fairfax County Public Schools ("FCPS") and the administration of Thomas Jefferson High School for Science and Technology may have engaged in unlawful discrimination in violation of the Virginia Human Rights Act, Va. Code § 2.2-3900, *et seq.* and Va. Code § 2.2-520, *et seq.* My office will investigate whether the Thomas Jefferson High School for Science and Technology administration's withholding of National Merit Scholarship honors from students violated the Virginia Human Rights Act. My office will also investigate whether Thomas Jefferson High School for Science and Technology's admissions policies violate the Virginia Human Rights Act.

The Virginia Human Rights Act makes it "an unlawful discriminatory practice for any person, including the . . . superintendent, agent, or employee of any place of public accommodation, to refuse, withhold from, or deny any individual . . . any of the accommodations, advantages, facilities, services, or privileges made available in any place of public accommodation, or to segregate or discriminate against any such person in the use thereof, . . . on the basis of race, color, [or] national origin." Va. Code § 2.2-3904(B). The Virginia Human Rights Act defines a "place of public accommodation" to include educational institutions, such as Fairfax County

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Public Schools and Thomas Jefferson High School for Science and Technology. *Id.* §§ 2.2-3900(B)(1), 2.2-3904(B).

If any of the protected bases listed in the Virginia Human Rights Act was a motivating factor for Fairfax County Public Schools' decision to withhold any information from a student regarding any honor from the National Merit Scholarship Corporation, or any other merit award or scholarship, then FCPS has violated the Virginia Human Rights Act.

Further, if any of the protected bases listed in the Virginia Human Rights Act was a motivating factor for denying individuals any advantages, services, or privileges under Thomas Jefferson High School for Science and Technology's admissions policy, then FCPS has violated the Virginia Human Rights Act.

This Letter is NOTICE to you that these matters are under Investigation by my Office of Civil Rights pursuant to Va. Code § 2.2-520(C)(3). Please preserve all relevant documents and suspend any automatic deletion policies applicable to relevant documents or custodians.

If you decline to cooperate, my Office intends to issue a subpoena against you pursuant to Va. Code § 2.2-521.

I look forward to your cooperation in this matter.

Sincerely,



Jason S. Miyares
Attorney General