

May 24, 2016

In December 2015, [REDACTED] decided to transfer from the [REDACTED] to [REDACTED] University for the Spring Semester to continue his education and play baseball. We were aware that [REDACTED] would have to sit out for 1 season due to transferring from D1 to D1. Coach [REDACTED] informed [REDACTED] that since one of the players had quit, he would be able to be on the roster, practice with team and dress out for home games only. He would not be allowed to travel with the team though. [REDACTED] was ecstatic and we were excited to hear the great news as we knew that being a part of something helps with the overall attitude, studies and social aspect of being in a new environment. A couple weeks later he was told that they received an email from the compliance office that he could no longer practice with the team or dress out for home games. This was the first of many troubling events which transpired. We accepted the decision assuming this came from NCAA. My question is why the coach wasn't aware of these rules since he has been coaching at a D1 level for quite a few years.

I made it very clear in a separate conversation with Coach [REDACTED] before we let [REDACTED] agree to go to [REDACTED] that [REDACTED] had a learning disability and needed to take Vyvance during school. I provided Coach [REDACTED] a copy of [REDACTED]'s report of neuropsychological evaluation on January 4, 2016 via email. This evaluation states a specific learning disability with impairment in reading involving reading rate/fluency, reading comprehension, and word reading accuracy (DSM-5 315.00). It is stated in the evaluation that his deficits would significantly impair him at the college level. I also provided all athletic paperwork on January 11, 2016. I made it evident that if he didn't have his medication he would get behind and things would spiral out of control. He assured me that he would personally be on top of [REDACTED]'s academics by ensuring his medicine was available, meeting weekly with [REDACTED] as well as his advisor ([REDACTED]). [REDACTED] did share with my husband and I that there were times when he met with Coach [REDACTED] and that they didn't talk about academics at all, but he picked his brain on how [REDACTED] compared to [REDACTED] on the baseball field.

According to [REDACTED] he addressed needing his medication 4 or 5 times. I finally asked Coach [REDACTED] at the beginning of March, by phone, why [REDACTED] did not have his medication. I was told it was lack of communication or something and he would take the blame. On March 7, 2016 I sent an email stating that I received confirmation from Dr. [REDACTED] in [REDACTED], SC that the forms were completed and sent back to [REDACTED] UNIVERSITY on January 8, 2016. So the lack of communication did not come from [REDACTED] or from Dr. [REDACTED]. It was very clear what needed to be done for [REDACTED] to get his medication and it is evident that this was not a priority. At that time, the trainer made an appointment for [REDACTED] on March 9th.

There were 76 days of school during the spring semester to include 5 days for exams. [REDACTED] filled his prescription on March 10th and Spring Break was March 14-18, 2016. This means that technically, he was not on the Vyvance to impact his academics until he returned to school on March 21, 2016. He had his medication for 32 days including 5 days for exams out of 76 school days, Monday through Friday. Please note that he was taking 15 credit hours and then in March was told he needed to take a history class due to the transfer, now making it 18 credits. The history class was an accelerated schedule class and started on March 9th and ended on April 25th. [REDACTED] received a final grade of a C in this class. [REDACTED] was on his meds for this entire class.

With that said, when midterms came out in February, it was quite clear that [REDACTED] not having his medication was affecting his academics. [REDACTED] was told by Coach [REDACTED] that he was using his medication as an excuse why his grades were unsatisfactory. I received a call from Coach [REDACTED] telling me that Wade was clearly not proving himself in the classroom and that if he had known this he could have gone out and grabbed a JUCO player. He then said you know... [REDACTED] has missed 10 classes. I replied, saying "well that bothers me. Why didn't you know as the baseball coach when he missed the first class?" He again, said I'll take the blame and that's my fault. At that point, I instructed [REDACTED] to let all his professors know his situation.

[REDACTED] spoke with his professors and at this point, all he could do was his best and try and recover. It was obvious he was going to get NO assistance from the Baseball program as promised. In order to assist him, we hired a tutor for the remaining time. I was disturbed to learn that after [REDACTED] spoke with Dr. (PROFESSOR) [REDACTED] the first time, telling her about his learning disability and that he didn't have his meds, she emailed his advisor, [REDACTED] saying that she didn't believe [REDACTED]. I have a huge problem with this and I feel this needs to be addressed with your faculty. This is inexcusable. I know that he went back to her

before exams and he told her that he knew she had sent the email that she didn't believe him and he made it clear to her that there was one thing he wouldn't do to her and that was lie to her. He went in and spoke with her a week before exams to revisit his situation. She basically sat there and listened to him and let him leave. It would be my educated guess that she knew at that time he was going to fail her class. The first exam in her class on February 17th was a 40%, Second exam March 23rd was a 48% and the final exam with medication was a 72%.

The HMXP class also resulted in a Final grade of F due to the fact he missed one assignment (Essay #2). He emailed the professor and told him he was having a problem submitting it on turnitin.com. Because he did not follow up to make sure he received confirmation this assignment was not counted. I am thrilled he only missed (1) assignment under his circumstances. However, there is an e-mail trail to the fact that the instructor received this assignment. [REDACTED] emailed Professor [REDACTED] and he replied telling [REDACTED] that it was out of his hands and that he would need to contact his supervisor, [REDACTED]. [REDACTED] emailed her asking her to reconsider letting him turn it in and she said no. She followed her email up saying that they are offering the course again and that she encourages him to sign up before it was full. How many students are retaking this course?

As soon as [REDACTED]'s final grades posted I received a call from [REDACTED] sobbing so hard on the phone I could not understand him. He told me his future and his life was over as far as school and baseball. He told me....Mom I thought I did really good once I got my medicine. I don't know what happened. I tried my best.

Coach [REDACTED] called me and said he was surprised, mad, and he felt bad for him. I mentioned to him that [REDACTED]'s skill was on the baseball field and he wasn't as skilled in his academics. **He told me straight up that if [REDACTED] didn't get the skill in the classroom figured out he would never set foot on the baseball field again.** I have an issue with this statement!

Given the academic, emotional and possibly even occupational disturbance this has caused for [REDACTED] we contacted ADA. The ADA coordinator stated that the circumstance [REDACTED] faced in which he was taking a full load of college courses without medication certainly worsened his situation. The ADA coordinator has recommended that we contact the Office of Civil Rights which will be our next step.

We made a whole hearted commitment to [REDACTED] University to include a significant financial investment being out of state. We clearly have not gotten any return on our investment. **Had [REDACTED] had his medication from the start, he might not have been an exceptionally stellar student, but he would have received a fair chance at achieving his goal of passing his classes and playing the sport that he loves.** There was a noticeable improvement in his academic performance once he began taking his medicine, which has been corroborated by his professors. If he would have had his medication from the start as was the agreement, it is entirely likely that he would have earned at least a C in all of his classes. Our interest is simply to fight for [REDACTED]'s rights and our request is that his F's be changed to C's, reinstated in good standing with the University, his transcripts re-evaluated as not to lose credit hours in the transfer and what classes, if any, need to be taken in the summer to make him eligible to play baseball in the fall and spring semesters.

Respectfully,

[REDACTED]