



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

1999 BRYAN ST., SUITE 1620
DALLAS, TX 75201-6810

REGION VI
ARKANSAS
LOUISIANA
MISSISSIPPI
TEXAS

7/23/2014

Re: OCR Docket # 06131644

Mr. Stan Smith, Interim Superintendent
Orleans Parish School Board
3520 General DeGaulle Drive, Suite 5055
New Orleans, LA 70114

Dear Mr. Smith:

This letter is to inform you of the determination of the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, regarding the resolution of the above-referenced complaint filed against the Orleans Parish School Board (OPSB), New Orleans, Louisiana, which was received on August 2, 2013. The complainant alleged that OPSB discriminates against limited English proficient (LEP) parents, specifically, Vietnamese and Spanish speakers whose children attend Einstein Charter School, Einstein Charter Extension, and Benjamin Franklin High School, on the basis of their national origin, by failing to: translate important documents and notices pertaining to students' education and safety into LEP parents' native languages (Allegation 1); and provide qualified interpreters to LEP parents during school events, teacher conferences, and at school front offices (Allegation 2).

OCR is responsible for determining whether entities that receive or benefit from Federal financial assistance, either from the Department or from an agency that has delegated investigative authority to the Department (recipients), are in compliance with Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulations, at 34 C.F.R. Part 100, which prohibit discrimination on the grounds of race, color, and national origin. OPSB is a recipient of Federal financial assistance from the Department. Therefore, OCR has jurisdiction to investigate this complaint under Title VI.

OCR opened this complaint for investigation because we determined that the complainant's allegation, if proven true, would constitute national origin discrimination in violation of Title VI. Specifically, OCR opened an investigation of the following legal issue:

1. Whether OPSB discriminates against LEP parents, specifically, Vietnamese and Spanish speakers whose children attend Einstein Charter School, Einstein Charter Extension and Benjamin Franklin High School, on the basis of their national origin, by failing to communicate with them in a manner that

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provides them with meaningful access to OPSB's programs, services and activities, in violation of Title VI, at 34 C.F.R. § 100.3.

After OCR commenced its investigation, but before OCR reached an investigative compliance determination, OPSB expressed a desire to voluntarily resolve the complaint. OPSB submitted the enclosed Resolution Agreement (Agreement) dated July 21, 2014, to memorialize the steps that it will take to resolve the compliance issues raised by the complaint allegations. OCR has determined that the Agreement, when fully implemented, will satisfactorily resolve the compliance issues raised by the complaint allegations. Accordingly, as of the date of this letter, OCR will cease all investigative actions regarding this complaint; however, OCR will actively monitor OPSB's efforts to implement the Agreement. Please be advised that if OPSB fails to adhere to the actions outlined in the Agreement, OCR will immediately resume its compliance efforts.

This concludes OCR's investigation of the complaint and should not be interpreted to address OPSB's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. The complainant has been notified of this action.

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 OPSB may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the complainant may file another complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

Thank you for the cooperation that you and your staff extended to OCR in our efforts to resolve this complaint. If you have any questions regarding this letter, please contact Justin T. Evans, Team Leader, at (214) 661-9600.

Sincerely,

/s/

Taylor D. August
Director
U.S. Department of Education
Office for Civil Rights, Dallas Office

Enclosure