

April 24, 2023

Office for Civil Rights  
Dallas Office  
U.S. Department of Education  
Office for Civil Rights  
Renaissance Tower  
1201 Elm St., Suite 1000  
Dallas, TX 75270

Sent via email: [OCR.Dallas@ed.gov](mailto:OCR.Dallas@ed.gov)

To whom it may concern:

We write to you with an urgent request to exercise your authority pursuant to Title VI of the 1964 Civil Rights Act (“Title VI”), to investigate and/or conduct a compliance review of potential racial discrimination by the Jefferson Parish School Board (“School Board”) and Jefferson Parish School District (“School District”) in Louisiana.<sup>1</sup> We also submit this letter to lodge a formal complaint against the Jefferson Parish School Board and Jefferson Parish School District for violation of Title VI’s prohibition against discrimination based on race and national origin.

## **Background**

The Jefferson Parish School Board has been under a desegregation order since 1978 (“1978 Desegregation Order”), due to its “compulsory bi-racial school system in the parish and [its practice of] assign[ing] students, teachers and other personnel to the schools . . . on the basis of race.”<sup>2</sup> The 1978 Desegregation Order addressed not only the racial composition of schools, but also discrimination “on the basis of race in the areas of school construction, formulation of budgets, [and] disbursement of school funds.”<sup>3</sup>

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<sup>1</sup> 501 Manhattan Blvd., Harvey, LA 70058; 504-349-7600.

<sup>2</sup> *Dandridge v. Jefferson Parish Sch. Bd.*, No. 2:64-cv-14801-KDE-JCW (E.D. La.), Joint Motion to Dismiss and Acknowledge Final Settlement Agreement at 3, ECF No. 260 (Aug. 2, 2011).

<sup>3</sup> *Id.*

The U.S. District Court for the Eastern District of Louisiana’s desegregation order of 1978 remained in place until 2011. In 2011, the parties involved in the 1978 Desegregation Order entered into a settlement agreement to bring the litigation to a close. One of the provisions of this settlement agreement required the School Board to ensure that school closures would not disproportionately affect one racial group as opposed to another racial group.<sup>4</sup> The settlement agreement also required that the School Board provide public notice if the Attendance Zones established in the Consent Order<sup>5</sup> were amended.<sup>6</sup> Finally, the settlement agreement required the School Board to issue a public notice not less than 30 days prior to considering any school closure, with opportunities for community meetings where all members of the community could be heard.<sup>7</sup> This settlement agreement ended in 2014.

During the 2017-2018 school year, only a few years after the 1978 Desegregation Order had ended, the Jefferson Parish School Board hired consultants to review their facilities, infrastructure, and overall efficiency of the school district, with the goal of consolidating schools and changing existing attendance zones. Due to COVID-19, this plan was placed on hold, but in 2023, the School Board hired the same consultants to develop an “Infrastructure & Efficiency Plan.”<sup>8</sup> Over the course of two months, the consultants developed a plan recommending the closure of eight schools, the consolidation of multiple campuses, and the changing of attendance zones. The School Board approved this plan on April 5, 2023, after a heated school board meeting at which parents, families, students, alumni, and community members submitted three hours’ worth of public comment against the proposed plan to close schools.

### **The School Closures Disproportionately Impact Black and Latino<sup>9</sup> Families, Students, and Communities.**

The Jefferson Parish School District is 34% Black, 22% white, and 37% Latino.<sup>10</sup> However, the schools that the School Board is closing are disproportionately Black and Latino schools located in communities of color. Indeed, only 12% of the students affected by the school closures are white, and, in some schools, the percentage of white students is as low as 5%.

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<sup>4</sup> Final Settlement Agreement at 5, ECF No. 260-2 (Aug. 2, 2011).

<sup>5</sup> Consent Order, ECF No. 164 (May 14, 2008).

<sup>6</sup> Final Settlement Agreement at 3-5, ECF No. 260-2 (Aug. 2, 2011).

<sup>7</sup> *Id.* at 4-10.

<sup>8</sup> Jefferson Parish Schools, 2023 Infrastructure and Efficiency Plan, March 27, 2023 Update, available at <https://www.jpsschools.org/domain/1411> (last visited 4/24/23).

<sup>9</sup> In this letter, we use the terms “Latino” and “Hispanic” interchangeably.

<sup>10</sup> Louisiana Department of Education, Student Attributes, Feb 2023 Multi Stats (Total by Site and School System), available at <https://www.louisianabelieves.com/resources/library/student-attributes>. As of the February 2023 student count, there are a total of 47,653 students in Jefferson Parish Schools: 16,028 Black students (33.6%); 17,730 Hispanic or Latino students (37%); and 10,382 white students (21.7%).

<b>Students Impacted by School Closures</b>							
<b>School Site</b>	<b>Total Enrollment</b>	<b>No. Black</b>	<b>% Black</b>	<b>No. White</b>	<b>% White</b>	<b>No. Hispanic</b>	<b>% Hispanic</b>
Helen Cox	814	554	68%	75	9%	136	17%
Mildred Harris	376	154	41%	52	14%	159	42%
Grace King	1278	240	19%	161	13%	822	64%
Butler	337	201	60%	67	20%	39	12%
Gretna Middle	527	194	37%	54	10%	249	47%
Washington	240	109	45%	13	5%	113	47%
<b>Total / Overall %</b>	<b>3572</b>	<b>1452</b>	<b>41%</b>	<b>422</b>	<b>12%</b>	<b>1518</b>	<b>42%</b>

The resulting impact on surrounding Black and Latino communities is profound, including in ways that cannot be captured in statistics. For example, community members have informed us that Washington Elementary, one of the schools to be closed this summer, has historical significance in the community and in this nation’s history, as it was created, developed, and funded by Black community members when Black children were not granted the dignity of attending schools or receiving an education equal to white students in Jefferson Parish. Upon information and belief, Jefferson Parish School Board plans to demolish the school site this summer.

Prior to the April 5, 2023 meeting where the Board voted to approve the School Closure Plan, the Southern Poverty Law Center wrote a letter to the School Board on behalf of community members highlighting the disproportionate impact that closing the schools would have on Black students and the Black community. The letter is attached for your review.

**The School District’s Process Has Lacked Transparency and Failed to Provide Language Access to Non-English-Speaking Families.**

We also recommend that the Office for Civil Rights investigate whether the School Board and School District have complied with their Title VI obligations to provide language access for the large number of non-English-speaking families served by the schools proposed to be closed, moved, and expanded.

Jefferson Parish is highly linguistically diverse, and approximately 20% of students enrolled in Jefferson Parish Schools are limited English proficient (referred to herein as “emergent multilingual”). Upon information and belief, no interpreters were provided at the April 5, 2023 board meeting for emergent multilingual families. To the extent public notice of the meeting was in fact provided, which at this point is not clear, there is no indication that information about the proposed school closures was translated to provide access for non-English speaking families. Further, it is unclear whether the School Board and District have an existing language access plan or written procedures ensuring that limited English proficient families received adequate notice of

the April 5, 2023 School Board Meeting; if such procedures exist, it is unclear whether the School Board and District complied with them.

Today, on April 24, 2023, the Jefferson Parish School Board will vote on proposed changes to attendance zone maps to correspond with the school closures. To the best of counsel's knowledge, the only public notice available on the school district's website is in English.<sup>11</sup> A copy of the agenda for the meeting is enclosed [here](#).

## **Conclusion**

The history of segregation of students in Jefferson Parish and the history of discrimination in the School Board's and School District's funding of schools, coupled with the new School Closure Plan that disproportionately impacts Black and Latino students, is gravely concerning to families and students in Jefferson Parish. So too is the School Board's and School District's failure to ensure transparency through appropriate language access for these proceedings. Accordingly, the Southern Poverty Law Center respectfully asks the Office for Civil Rights of the U.S. Department of Education to initiate a compliance review of the Jefferson Parish School Board and School District to determine whether its actions violate Title VI's prohibitions against discrimination based on race and national origin. Additionally, the SPLC submits this letter as a complaint against the Jefferson Parish School Board and School District for the aforementioned violations of Title VI.

We are in the process of gathering more information as it becomes available through public records requests and meetings with community members, and we will supplement this letter as necessary. If you have any questions, you can reach us at [lauren.winkler@splcenter.org](mailto:lauren.winkler@splcenter.org) or [ashley.dalton@splcenter.org](mailto:ashley.dalton@splcenter.org), or call us at 504-442-1165 or 504-322-8060.

Sincerely,



Lauren Winkler, Senior Staff Attorney  
Ashley Dalton, Staff Attorney  
**Southern Poverty Law Center**

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<sup>11</sup> See Jefferson Parish Schools, Monday, April 24, 2023, Special Session School Board Meeting, <https://www.jpsschools.org/cms/lib/LA50000440/Centricity/Domain/130/JPSB%20Special%20Session%20Public%20Hearing%204.24.23.pdf>.