



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS—REGION VI

March 13, 2012

Ref: 06121151

Ms. Katie Schwartzmann, Attorney
Southern Poverty Law Center
4431 Canal Street
New Orleans, LA 70119

Dear Ms. Schwartzmann:

The U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office, has completed its evaluation of a complaint received in this office on January 11, 2012, and filed against the Jefferson Parish School Board (JPSB). The complaint alleged that the JPSB discriminates against students on the basis of their race (Black) in the administration and application of its discipline policies, in violation of Title IV of the Civil Rights Act of 1964 (Title IV), 42 U.S.C. §200d, and its implementing regulation 34 C.F.R. Part 100 (2011).

Specifically, OCR will investigate the issue to determine whether the JPSB discriminates against Black students based on their race in the administration and application of its discipline policies, in violation of §100.3 (b) (ii).

OCR is responsible for determining whether recipients of Federal financial assistance from the U.S. Department are in compliance with the laws we enforce. JPSB is a recipient of Federal financial assistance from the Department, and as such, OCR has jurisdiction to process this complaint for resolution under Title VI.

Because OCR has determined that it has jurisdiction and that the complaint was filed timely, it is opening the above-referenced allegations for investigation. Please note that opening this allegation for investigation in no way implies that OCR has made a determination with regard to their merits. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the complainant, the recipient, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and is dispositive of the allegations, in accordance with the provisions of Article III of the *Case Processing Manual*.

Under OCR procedures we are obligated to advise the institution against which the complaint is filed that intimidation or retaliation against a complainant is prohibited by regulations enforced by this agency.

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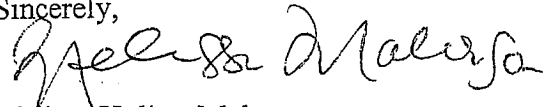
The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Specifically, the regulations enforced by OCR, directly or by reference, state that no recipient or other person shall intimidate, threaten, coerce or discriminate against any individual for the purpose of interfering with any right or privilege secured by regulations enforced by OCR or because one has made a complaint, testified, assisted or participated in any manner in an investigation, proceedings or hearing held in connection with a complaint.

Under the Freedom of Information Act, 5 U.S.C. § 552, it may be necessary to release this document and other related correspondence and records upon request. In the event we receive 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 privacy.

If you have any questions, please feel free to contact me by telephone at 214.661.9637 or by e-mail at: Melissa.malonson@ed.gov.

Sincerely,



Melissa Huling Malonson
Senior Attorney