



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

50 BEALE ST., SUITE 7200
SAN FRANCISCO, CA 94105

REGION IX
CALIFORNIA

March 19, 2015

Don Olson
County and District Superintendent
Del Norte County Unified School District
301 W. Washington Blvd
Crescent City, CA 95531

(In reply, please refer to case no. 09-13-1279.)

Dear Superintendent Olson:

This letter is to notify you of the closure of the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR) against the Del Norte County Unified School District (District). OCR investigated whether the District failed to respond appropriately to notice that the complainant's children, who are African American, were subjected to racial harassment by other students. OCR investigated the complaint under the authority of Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (Title VI), and its implementing regulation. Title VI prohibits discrimination on the basis of race, color or national origin in programs and activities operated by recipients of Federal financial assistance. The District receives funds from the Department and is subject to Title VI and the regulation.

Based on the information gathered during the investigation, OCR concluded that the preponderance of evidence supported a conclusion that the District had not complied with its responsibilities under Title VI and the regulations. OCR explained its findings to the District by telephone and subsequently in a letter dated February 2, 2015. The February 2nd letter sets forth the applicable legal standards, the facts gathered during OCR's investigation, and the basis for OCR's legal determinations. On March 16, 2015, the District signed a resolution agreement which, when fully implemented, will be sufficient to resolve the areas of noncompliance.

Under the Agreement, the District will take all reasonable steps to ensure that students in the district are not subjected to harassment or discrimination on the basis of race, color, or national origin, and to respond promptly and appropriately to all reports of racial harassment. The Agreement requires the District to: (1) conduct a meeting to discuss the need for counseling services for one of the complainant's children; (2) issue an anti-harassment statement through its website to all District students, parents, and staff and through postings at the school; (3) review and revise its policies and procedures to ensure that they are reasonably designed to prevent, address, and respond to incidents of racial harassment, and disseminate the revised policies and procedures; (4) conduct training of District administrators and school employees on the revised policies and procedures; (5) provide an age-appropriate informational program at the school to address racial harassment; and (6) administer a school climate survey.

Based on the commitments made in the Agreement, OCR finds the District in compliance with Title VI and the regulations. This concludes OCR's investigation of the complaint. OCR is closing the investigation of this complaint as of the date of this letter. OCR will monitor the District's implementation of the Agreement. OCR is informing the Complainant of the complaint resolution by a copy of this letter. The Complainant may have a right to file a private lawsuit in Federal court whether or not OCR finds a violation.

This letter should not be interpreted to address the District's compliance with any other regulatory provision or any issues other than those addressed in the letter. The letter sets forth OCR's determination in an individual OCR case. It 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.

Please be advised that the District 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.

If you have any questions about this letter or OCR's investigation, please contact David Christensen, Staff Attorney, at (415) 486-5554 or David.Christensen@ed.gov.

Sincerely,

/s/

Mary Beth McLeod
Team Leader

Enclosure

CC: Loren W. Soukup
Counsel for the District

Complainant