



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

400 MARYLAND AVENUE, SW
WASHINGTON, DC 20202-1475

REGION XI
NORTH CAROLINA
SOUTH CAROLINA
VIRGINIA
WASHINGTON, D.C.

September 3, 2014

Dr. Rita Bishop
Superintendent
Roanoke City Public Schools
P.O. Box 13145
Roanoke, VA 24031

Re: OCR Complaint No. 11-14-1236
Resolution Letter

Dear Dr. Bishop:

This letter is to notify you of the outcome of the May 19, 2014 complaint that was filed with the District of Columbia Office of the U.S. Department of Education (Department), Office for Civil Rights (OCR) against Roanoke City Public Schools (the Division). The Complainant alleged that the Division, particularly staff at Patrick Henry High School (the School), discriminated against students in the School's Gospel Choir, on the basis of race (African-American), and retaliated against the Complainant. Specifically, the allegations are as follows:

Allegation 1: The School's policy of requiring that students in the Gospel Choir pass their simulated standards of learning (SOL) examinations in order to participate on Gospel Choir field trips and the School's practice of not providing School funding to the Gospel Choir have a disparate impact on African-American students.

Allegation 2: The Division retaliated against you by removing you from your position as the volunteer Director of the Gospel Choir Club when you complained about the Division's discriminatory treatment of students based on race.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin in any program or activity receiving Federal financial assistance from the Department. The laws enforced by OCR prohibit retaliation against any individual who asserts rights under these laws or who files a complaint, testifies, or participates in an OCR proceeding. Because the Division receives Federal financial assistance from the Department, OCR has jurisdiction over it pursuant to Title VI.

During the course of OCR's investigation, the Division expressed an interest in resolving the complaint under a voluntary resolution agreement. Pursuant to Section 302 of OCR's *Case Processing Manual*, OCR discussed resolution options with the Division. The Division signed the enclosed agreement which, when fully implemented, will resolve the complaint. The provisions of the agreement are aligned

with the allegations raised in the complaint and information obtained during the course of OCR’s investigation, and are consistent with the applicable regulations. OCR will monitor implementation of the agreement.

This concludes OCR’s investigation of this complaint. OCR is closing this complaint investigation effective the date of this letter. 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 the Division may not retaliate against an individual who asserts a right or privilege under a law enforced by OCR or who files a complaint, testifies, or participates in an OCR proceeding. If this happens, the individual may file a retaliation complaint with OCR. The laws enforced by OCR prohibit retaliation against any individual who asserts rights or privileges under these laws or who files a complaint, testifies, or participates in an OCR proceeding. Under the Freedom of Information Act, OCR may need to release this document and related correspondence and records upon request. In the event OCR receives such a request, we will seek to protect, to the extent provided by law, information that, if released, could reasonably be expected to constitute an unwarranted invasion of privacy.

If you have any questions or concerns regarding this letter, please contact Karen WalkingEagle or Wanda Frazier, the OCR staff members assigned to your case. Ms. WalkingEagle may be reached at (202) 453-6614 or karen.walkingeagle@ed.gov, or Ms. Frazier, at (202) 453-5911 or wanda.frazier@ed.gov.

Sincerely,

/S/

Kay Bhagat
Team Leader, Team III
District of Columbia Office
Office for Civil Rights