

Dr. Salvatore F. Menzo
Superintendent of Schools
Wallingford Board of Education
142 Hope Hill Road
Wallingford, Connecticut 06492

Re: Complaint No. 01-13-1207
Wallingford Board of Education

Dear Superintendent Menzo:

This letter is to inform you that the U.S. Department of Education (Department), Office for Civil Rights (OCR) is closing the investigative phase of the above-referenced complaint that was filed against the Wallingford Board of Education (Board) alleging discrimination on the basis of race, because the Board has agreed to resolve this complaint on terms that OCR has found to be acceptable. Below you will find a brief factual summary of the case leading to this resolution, as well as OCR's expectations for monitoring the Board's compliance with the agreed-upon terms.

As you know, the Complainant alleged that the Student was subjected to racial harassment (including racial slurs and epithets) in school, on school buses, and at extracurricular activities during the 2012-2013 school year and that Board and School administrators failed to adequately respond to these concerns when the Complainant brought them to their attention.

OCR opened this complaint for investigation under the jurisdiction of Title VI of the Civil Rights Act of 1964, and its implementing regulation found at 34 C.F.R. Part 100 (Title VI). Title VI prohibits discrimination on the basis of race, color, or national origin by recipients of Federal financial assistance from the Department (recipient). The Board is subject to Title VI because it is a recipient.

OCR formally opened for investigation the following issue:

- Whether the Student was subjected to a racially hostile environment during the spring of 2013, and, if so, whether the Board failed to respond adequately to the hostile environment, in violation of 34 C.F.R. § 100.3(a) and (b)(1) and (2).

During the course of the investigation and before OCR reached a compliance determination, Board Counsel Leander Dolphin, on behalf of the Board, expressed an interest to voluntarily resolve the complaint. Then, after negotiations between OCR and Board Counsel, the Board agreed to take action steps, memorialized in the enclosed Resolution Agreement (Agreement).

OCR has determined that the terms of the Agreement address the underlying allegations in this case, as well as the other information OCR obtained during its preliminary investigation. These terms are also consistent with Title VI. Accordingly, OCR is closing this investigation as of the date of this letter, and has notified the Complainant about this resolution.

As memorialized in the Agreement, OCR will monitor the Board's compliance with the agreed-upon terms. OCR will close the monitoring of this matter, and will so notify the parties in writing, once it determines that the Board has satisfied the terms of the Agreement. Please note that for item #2 of the

enclosed Agreement, during a December 23, 2013, telephone conversation with Board Counsel, OCR staff and Board Counsel agreed that this action step would be completed by January 30, 2014, in lieu of the March 2014 date indicated. The Board has agreed to provide OCR with a first monitoring report by July 30, 2014.

The information in this letter is not intended and should not be construed to cover any other issues regarding compliance with Title VI that may exist but are not discussed herein.

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

We would like to thank you, your staff, and especially Attorney Dolphin, for your time and assistance with the resolution of this case. If you have any questions regarding this letter, you may contact Senior Investigator Mary-Anne Khouhani at (617) 289-0036 or by e-mail at Mary-Anne.Khouhani@ed.gov; or Senior Attorney Amy Hunter at (617) 289-0057 or by email at Amy.Hunter@ed.gov. You may also contact me directly at (617) 289-0111.

Sincerely,

Thomas J. Hibino
Regional Director

Enclosure

cc: Leander Dolphin, Esq.