



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS, REGION IV

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ATLANTA, GA 30303-8927

REGION IV  
ALABAMA  
FLORIDA  
GEORGIA  
TENNESSEE

DATE

**Via Electronic Mail (xxxx)**

XXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXX

Orange County Public Schools  
445 W. Amelia St.  
Orange, FL 32801

Re: OCR Complaint # 04-18-1537

Dear xxxxxxxx:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), has concluded its investigation of a complaint received by this office on May 16, 2018, alleging discrimination on the basis of race (white) and retaliation by Orange County Public Schools (District). Specifically, the Complainant alleged that the District discriminated against her son (Student), when the xxxxxx disciplined the Student for xxxxxxxxxx was in motion by making him xxxxxxxxxx; however, the xxxxxxx but did not discipline black students who committed the same offense. The xxxxx only required the Student to xxxxxx. The Complainant further alleged that the District retaliated against the Student because the Complainant reported the xxxxx to the xxxxxxxx department when the xxxxxxxx continued to xxxxxxxxxx despite his supervisor's instruction to xxxxxxxxxx.

OCR is responsible for enforcing Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, and its implementing regulation, 34 C.F.R. Part 100. Title VI prohibits discrimination on the basis of race, color or national origin by recipients of Federal financial assistance.

Based on the above, OCR investigated the following legal issues:

1. Whether the District subjected the Student to different treatment on the basis of race when the xxxxxr required him to xxxxx, but did not require similarly situated black students who committed the same offense to do so, in noncompliance with the Title VI implementing regulation at 34 C.F.R. § 100.3(1)(a) and (b).
2. Whether the District retaliated against the Student because the Complainant complained about the xxxx's discriminatory treatment when the xxxx required the Student to xxxxx despite a supervisor's directive to remove the restriction, in noncompliance with the Title VI implementing regulation at 34 C.F.R. § 100.7(e).

Prior to the completion of OCR's investigation, the District requested to voluntarily resolve this complaint. Pursuant to Section 302 of OCR's Case Processing Manual, a complaint may be resolved before the conclusion of an investigation when the recipient or public entity expresses an interest in resolving the complaint. The attached Resolution Agreement (Agreement) will require the District to take actions to remedy any compliance concerns regarding by reviewing the employee's conduct toward the Student to determine whether the employee engaged in any conduct in violation of Title VI that warrants discipline, providing the Complainant with a system to directly report any future concerns regarding the employee's conduct, and creating a reporting system for xxxx to document and report disciplinary matters that occur xxxx to School administrators for review.

On September 4, 2018, OCR received the enclosed signed Agreement that, when fully implemented, will resolve the allegation in the complaint. OCR will monitor the District's implementation of this Agreement to ensure that it is fully implemented. If the District fails to fully implement the Agreement, OCR will reopen the case and take appropriate action to ensure compliance with Title VI. The Complainant may file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the District may not harass, coerce, 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. If OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information that, if released, could constitute an unwarranted invasion of privacy.

OCR is committed to prompt and effective service. If you have any questions, please contact xxxxxxxxxx.

Sincerely,

xxxxxxxxxxxxxxx

Supervisory General Attorney

Enclosure

cc: xxxxxxxxxxxxxxxx