



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

1999 BRYAN STREET, SUITE 1620
DALLAS, TEXAS 75201-6831

REGION VI
ARKANSAS
LOUISIANA
MISSISSIPPI
TEXAS

May 1, 2018

Dr. Roland Hernandez, Superintendent
Corpus Christi Independent School District
801 Leopard
Corpus Christi, Texas 78401

RE: OCR Complaint No. 06141074

Dear Superintendent Hernandez:

This is to inform you that the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, has resolved the above-referenced complaint filed on November 12, 2013, against the Corpus Christi Independent School District (District), Corpus Christi, Texas. The complaint alleged that the District failed to provide equal educational opportunities to national origin language-minority students who are limited English proficient (LEP¹) with respect to their identification, assessment, and placement during the 2013-14 school year.

OCR is responsible for enforcing Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulations 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 financial assistance from the Department. The District is a recipient of financial assistance from the Department. Therefore, OCR has jurisdictional authority to resolve this complaint under Title VI.

Based on the allegation, OCR opened an investigation of the following legal issue:

Whether the District fails to provide equal educational opportunities to national origin language-minority students who are LEP with respect to the following: identification, assessment, and placement, in violation of Title VI and its implementing regulations, at 34 C.F.R. § 100.3(a), (b)(1)(i).

Prior to the completion of OCR's investigation, the District asked to resolve this complaint pursuant to Section 302 of OCR's *Case Processing Manual* (CPM). On April 30, 2018, the District submitted the enclosed signed resolution agreement (the Agreement) to OCR. When fully implemented, the Agreement will resolve the allegations in the complaint.

In light of the commitments the District has made in the Agreement, OCR finds that the complaint is resolved, and OCR is closing its investigation as of the date of this letter. OCR will monitor the District's implementation of the Agreement to ensure that the commitments made are implemented timely and effectively. OCR may request additional information as necessary to determine whether the

¹The terms *Limited English Proficient (LEP)* and *English Language Learner (ELL)* are used interchangeably.

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

District has fulfilled the terms of the Agreement and is in compliance with Title VI with regard to the issue raised.

If the District fails to implement the Agreement, OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This concludes OCR's investigation of the complaint and should not be interpreted to address the District's compliance with any other regulatory provision or to address any issues other than those addressed in 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.

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 a complaint alleging such treatment.

The complainant may file a private suit in federal court, whether or not OCR finds a violation.

Under the Freedom of Information Act, it may be necessary to release this letter and related correspondence and records upon request. In the event that OCR receives such a request, it 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.

OCR looks forward to receiving the District's first monitoring report by September 14, 2018. For questions about implementation of the Agreement, please contact Linda Floyd, Civil Rights Attorney, at 214-661-9657 or by email at Linda.Floyd@ed.gov. You may also contact me, at (214) 661-9608 or by email at Paul.Coxe@ed.gov.

Sincerely,

/s/

Paul E. Coxe
Supervisory Attorney/Team Leader
Office for Civil Rights
Dallas Office

Enclosure

XX--to end of phrase redacted--XX