



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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

REGION VI
ARKANSAS
LOUISIANA
MISSISSIPPI
TEXAS

XXXXXXXXXXXXXX

Mr. James Fulton, MBA
Director of Finance and Operations
Choice Foundation, Inc.
3308 Tulane Avenue, Suite 300
New Orleans, LA 70118

RE: OCR Complaint 06-17-1535
Lafayette Academy Charter School

Dear Mr. Fulton:

This letter is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, has resolved the above-referenced complaint against the Lafayette Academy Charter School (School). The complaint alleged that the School discriminated against XX during the XXXXXXXXXXXXXXX school year.

OCR is responsible for determining whether organizations that receive or benefit from Federal financial assistance, either from the Department or from an agency that has delegated investigative authority to the Department, are in compliance with Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681, and its implementing regulation, at 34 C.F.R. Part 106, which prohibit discrimination based on sex. The School is a recipient of Federal financial assistance from the Department. Thus, OCR has jurisdiction to resolve this complaint pursuant to Title IX.

OCR opened the following issue for investigation:

Whether the School discriminated against the Student on the basis of
XX
XX
XX
during the XXXXXXXXXXXXXXX school year, in violation of Title IX,
and its implementing regulation, at 34 C.F.R. § 106.31.

Prior to the conclusion of OCR's investigation, on XXXXXXXXXXXXXXXX, the School informed OCR that it was interested in resolving the complaint. Section 302 of OCR's Case Processing Manual (*CPM*) provides that a complaint may be resolved at any time when, before the conclusion of an investigation, the recipient expresses an interest in resolving the complaint and OCR determines that such a resolution is appropriate. The provisions of the resolution agreement will be aligned with the complaint allegations or the information obtained during the investigation and will be consistent with applicable regulations. On XXXXXXXXXXXXXXXX, OCR determined that a resolution under Section 302 of the *CPM* was appropriate.

On XXXXXXXXXXXXXXXX, the School voluntarily signed a Resolution Agreement (Agreement) to resolve the complaint allegations. A copy of the Agreement is enclosed. OCR determined that the provisions of the Agreement are aligned with the complaint allegation and appropriately resolves it. Further, OCR accepts the Agreement as an assurance the School will fulfill its obligations under Title IX with respect to the complaint allegation. The dates for implementation and specific actions are detailed in the Agreement. OCR will monitor the School's implementation of the Agreement.

Effective the date of this letter, OCR is closing the investigation of this complaint. This letter should not be interpreted to address the School'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. 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 School 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 individual 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 questions concerning this letter, please contact Marvin Macicek, the investigator assigned to the complaint, at (214) 661-9636, or by email at

marvin.macicek@ed.gov. You may also contact me at (214) 661-9648, or by email at timothy.caum@ed.gov.

Sincerely,

Timothy D. Caum
Supervisory Attorney/Team Leader
Dallas Office