



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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REGION VIII  
ARIZONA  
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WYOMING

June 17, 2015

Dr. Constance Jones, Superintendent  
Pueblo School District #60  
315 W. 11th St.  
Pueblo CO 81003

Re: Pueblo School District #60  
OCR Case Number: 08-15-1086

Dear Superintendent Jones:

This is to advise you of the resolution of the above-referenced complaint that was filed with our office where the Complainant alleged that her son, while a student Carlile Elementary School, was racially harassed by his Science teacher and the District did not take appropriate steps to address the harassment. Additionally, she alleged her son was racially harassed by another student and the school (Heritage Elementary School) did not take appropriate steps to address the harassment.

We began investigating this complaint pursuant to Title VI of the Civil Rights Act of 1964 and its implementing regulation at 34 Code of Federal Regulations Part 100, which prohibit discrimination on the basis of race, color, or national origin in programs and activities that receive Federal financial assistance from the U.S. Department of Education. The District receives Federal financial assistance from the Department and is therefore subject to this law and regulation.

During the course of processing this complaint, the District indicated its desire to voluntarily enter into an agreement to resolve the allegations pursuant to Section 302 of the *Case Processing Manual*. We reviewed this request and determined that it justified entering into an agreement without completing a full investigation of the complaint.

We have received the signed Resolution Agreement, which is enclosed. When the Agreement is fully implemented, the allegations will be resolved consistent with the requirements of Title VI and its implementing regulation. OCR will monitor implementation of the Agreement through periodic reports demonstrating the terms of the Agreement have been fulfilled. We will provide written notice of any deficiencies regarding the implementation of the terms of the Agreement and will promptly require actions to address such deficiencies. If the District fails to implement the Agreement, we will take appropriate action, as described in the Agreement. We will provide the Complainant with a copy of formal correspondence we issue to the District during the monitoring.

We thank the District for voluntarily entering into an Agreement to resolve the allegations raised in this complaint. This concludes OCR's investigation of this 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 case is now in the monitoring phase. The monitoring phase of this case will be completed when OCR determines that the District has fulfilled all of the terms of the Agreement. When the monitoring phase of these cases is complete, OCR will close Case Number 08-15-1086 and will send a letter to the District, copied to the Complainant, stating that this case is closed.

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 another complaint alleging such treatment. In addition, the Complainant may have the right to 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 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.

We thank you for the courtesy and cooperation you extended to us during the processing of this case. If you have any questions regarding this matter, please feel free to contact XXXXXX, or me at 303-844-5927.

Sincerely,

/S/

Thomas M. Rock  
Supervisory General Attorney

Enclosure

cc: Coulter Bump, District representative  
Commissioner Robert Hammond, Colorado Department of Education