



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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REGION VIII

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September 18, 2019

Dr. Jason E. Glass
Superintendent
Jefferson County Public Schools
1829 Denver West Drive, #27
Golden, Colorado 80401

via email only at xxx

Re: Jefferson County Public Schools
Case Number: 08-19-1339

Dear Superintendent Glass:

On April 26, 2019, we received a complaint alleging that Jefferson County Public Schools (District) discriminated on the basis of national origin. Specifically, the Complainant alleged that the District failed to communicate school-related information to Limited English Proficient (LEP) parents at Creighton Middle School (School) in a language they can understand.

We initiated an investigation under the authority of Title VI of the Civil Rights Act of 1964 and its implementing regulation at 34 C.F.R. 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 Department. As a recipient of Federal financial assistance from the Department, the District is subject to this law and regulations.

During the investigation, and before we conducted interviews and had sufficient evidence to support findings, the District expressed a desire to take voluntary action to resolve the allegations. OCR determined that it was appropriate, pursuant to Section 302 of OCR's *Case Processing Manual* (CPM), to resolve the allegation with a 302 Agreement without completing a full investigation.

The District has entered into the attached Resolution Agreement (Agreement) which, when fully implemented, will resolve the concerns raised in the complaint. The Agreement requires the District to: (1) continue to develop and fully implement a Plan to provide oral and written language assistance services to national origin minority LEP parents of students at the School which ensures that they have meaningful access to school-related information; and (2) continue to develop plans for initial and ongoing training of all District and School staff that provide oral interpretation and/or written translation for parents at the School.

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

Prior to resolving the allegation through the Agreement, OCR learned that the District was aware of the concern that the School was failing to communicate school-related information to LEP parents in a language they could understand. The District informed OCR that it voluntarily began to take action to address that concern before OCR notified the District of its investigation. OCR appreciates the District's efforts to timely respond to the concern.

After reviewing initial information provided to OCR by the Complainant and the District, we determined that it was appropriate to enter into an agreement that appropriately addresses the issue raised by the complaint without continuing a full investigation of the allegation. Therefore, we drafted the Agreement and sent it to the District. We received a signed Agreement from the District on September 17, 2019. A copy of the signed Agreement is attached.

When the Agreement is fully implemented, the allegation will be resolved consistent with the requirements of Title VI and its implementing regulations. OCR will monitor implementation of the Agreement through periodic reports from the District demonstrating that the terms of the Agreement have been fulfilled. We will promptly provide written notice of any deficiencies with respect to the implementation of the terms of the Agreement and will promptly require actions to address such deficiencies. We will copy the Complainant on our monitoring letters. If the District fails to implement the Agreement, we will take appropriate action, which may include enforcement actions.

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

Please note that a complainant may have a right to file a private suit in federal court whether or not OCR finds a violation.

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 individual may file a complaint alleging such treatment.

This letter sets forth OCR's determination in an individual 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.

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 protect personal information to the extent provided by law.

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Thank you for your attention to this matter, the District’s cooperation, and counsel’s assistance. If you have any questions, please contact Allison Morris, the attorney assigned to this case, at XXX, or by email at XXX.

Sincerely,

/s/

Angela Martinez-Gonzalez
Supervisory General Attorney

Cc: Elizabeth Francis, counsel for the District
Katy Anthes, Colorado Commissioner of Education