



**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS**

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November 9, 2021

REGION VIII

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Dr. Terry Croy Lewis, Ph.D.
Executive Director
Colorado Charter School Institute
via email only at: TerryCroyLewis@csi.state.co.us

Re: Colorado Charter School Institute
OCR Case Number 08-21-1259

Dr. Croy Lewis,

On May 15, 2021, we received the above captioned complaint filed against the Colorado Charter School Institute (Institute). The Complainant alleges that the Institute discriminates against language minority parents on the basis of national origin (Hispanic). Specifically, the Complainant alleges that on December 15, 2020, the Institute failed to communicate with language minority parents in a language and manner that parents understand during a meeting concerning Community Leadership Academy (CLA) and Victory Preparatory Academy (VCA).

OCR is responsible for enforcing Title VI of the Civil Rights Act of 1964, and its implementing regulation at 34 Code of Federal Regulations (C.F.R.) Part 100 (Title VI), which prohibit discrimination on the bases of race, color, or national origin in activities and programs that receive Federal financial assistance from the U.S. Department of Education. As a recipient of Federal financial assistance from the Department, the Institute is subject to these laws and regulations.

Complainant Statement

The Complainant stated that On December 15, 2020, the Colorado Charter School Institute failed to share the meeting in a language accessible to the majority of parents with students enrolled in the school, which is over 95% Hispanic/Latino. The Complainant stated that English was the only language at meetings and meeting documents are inaccessible. The Complainant stated that information on how to access other language support for meetings or documents on the Colorado Charter School Institute website or BoardDocs were not accessible in languages other than English.

Institute Statement

The Institute denied the allegation. The Institute acknowledges that the December 15, 2020, board meeting was conducted in English. It stated that it makes translation and interpretation

services available upon request or upon grounds reasonably suggesting that language assistance is necessary. The Institute remarked that it did not receive any request for language assistance, nor did it have any notice (actual or constructive) that translation or interpretation services may have been necessary during the December 15, 2020, board meeting. The Institute stated that it had no evidence of parents from the charter schools attending the meeting.

Before OCR completed its investigation, the Institute expressed an interest in voluntarily entering into an agreement to resolve the allegations. Pursuant to Section 302 of OCR's *Case Processing Manual (CPM)*, a complaint may be resolved when, before the conclusion of an investigation, a recipient expresses an interest in resolving the complaint. OCR believes that doing so is appropriate, and the remedies align with the allegations. A 302 Agreement is appropriate in this case.

On November 9, 2021, we received the Institute's signed Resolution Agreement (enclosed) which resolves the allegations. OCR is closing the investigative phase of this complaint effective the date of this letter. This case is now in the monitoring phase. OCR will closely monitor the Institute's implementation of the Agreement to ensure that the commitments made are implemented timely and effectively and that the Institute's policies and practices are administered in a nondiscriminatory manner. When the Agreement is fully implemented, the allegations will be resolved consistent with the requirements of Title VI, and its implementing regulations. If the Institute fails to implement the Agreement, we will take appropriate action, which may include enforcement actions, as described in the Agreement.

This concludes OCR's investigation of this complaint and should not be interpreted to address the Institute'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 this 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.

Individuals filing a complaint or participating in our resolution process are protected from retaliation by Federal law.

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, personal information, which if released, could constitute an unwarranted invasion of privacy.

We thank the Institute for working to resolve this matter. If you have any follow up questions, please contact Virginia Wilson-Cobble, attorney advisor, assigned to this complaint, at (303) 844-4538, or by email at virginia.wilson-cobble@ed.gov. You also may contact me at (303) 844-5927.

Sincerely,

Thomas M. Rock
Supervisory General Attorney

Enclosure

cc:

Joe Peters
Senior Assistant Attorney General
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