



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

50 BEALE ST., SUITE 7200
SAN FRANCISCO, CA 94105

REGION IX
CALIFORNIA

July 16, 2015

Ms. Janet Landon
Principal/Director
Westchester Secondary Charter School
8820 Sepulveda Eastway
Los Angeles, California 90045

(In reply, please refer to case no. 09-15-1177.)

Dear Principal Landon:

In a letter dated April 8, 2015, the U.S. Department of Education (Department), Office for Civil Rights (OCR) notified you of a complaint filed against the Westchester Secondary Charter School (School). The Complainant, the parent of a student, alleged that the School discriminated against the student on the basis of disability and race.¹ Specifically, the complaint alleged that the School denied the student a free, appropriate public education, treated the student differently on the basis of race and disability, subjected the Complainant to harassment on the basis of race, and created a hostile environment for the student.

OCR enforces certain federal civil rights laws that prohibit discrimination on the basis of disability, including Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990. Section 504 and its implementing regulations prohibit discrimination on the basis of disability in programs and activities operated by recipients of Federal financial assistance. Title II and its implementing regulations prohibit disability discrimination complaints filed against public educational entities. OCR also has jurisdiction to enforce Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in programs and activities operated by recipients of Federal financial assistance. The School receives funds from the Department and therefore is subject to Section 504, Title II, Title VI, and their implementing regulations.

Under Section 302 of OCR's Case Processing Manual² (CPM), allegations and issues under investigation may be voluntarily resolved prior to the conclusion of the investigation, when the recipient expresses an interest in resolving the allegations and

¹ The School was notified of the identity of the Complainant and the Student in OCR's letter dated April 8, 2015. We are withholding their identities in this letter in order to protect their privacy.

² The CPM may be viewed at <http://www2.ed.gov/about/offices/list/ocr/docs/ocrspm.pdf> .

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

OCR determines that it is appropriate to resolve them with an agreement in the course of an investigation.

On July 15, 2015, the School signed the enclosed resolution agreement pursuant to CPM Section 302. Through this agreement, the School has voluntarily agreed to participate in training on Section 504, Title II, and Title VI in the first half of the 2015-2016 school year. OCR will monitor the implementation of the agreement. The complainant is being notified simultaneously of this resolution.

Under the Freedom of Information Act, it may be necessary to release this document and related records on request. If OCR receives such a request, it will seek to protect, to the extent provided by law, personal information which, if released, could reasonably be expected to constitute an unwarranted invasion of privacy.

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 Complainant may file another complaint alleging such treatment.

The complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

OCR would like to thank you for cooperating during this process. If you have any questions about this letter, please contact Investigator Nefertiti Sadat at (415) 486-5550 or Attorney Laura Welp at (415) 486-5577.

Sincerely,

/s/

Anamaria Loya
Team Leader

Enclosure:
Copy of the agreement