



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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November 9, 2021

Via E-mail Only: wjessee@sheltonschoos.org

Wyeth Jessee
Superintendent
Shelton School District
700 South First Street
Shelton, Washington 98584

Re: Shelton School District
OCR Reference No. 10211050

Dear Superintendent Jessee:

This letter is to inform you of the disposition of the above-referenced complaint filed against Shelton School District with the U.S. Department of Education, Office for Civil Rights (OCR). The complainant alleged that the District discriminated against limited English proficient (LEP) parents or guardians (collectively, parents) at Evergreen Elementary (school) during the 2020-2021 school year on the basis of national origin by:

1. failing to provide meaningful communication to LEP parents by not providing a qualified interpreter with respect to (a) the school's parent-teacher conferences; and (b) instances where LEP parents attempt to raise concerns with the school's principal; and
2. treating LEP parents differently than non-LEP parents by permitting non-LEP parents to speak directly to the principal, but LEP parents had to communicate their concerns through the family liaison.

As explained below, prior to completion of OCR's investigation, the District expressed an interest in voluntarily resolving the complaint and signed the enclosed agreement to address the complaint allegations.

OCR investigated this case under the authority of Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination on the bases of race, color, and national origin in programs and activities receiving federal financial assistance. The District receives

federal financial assistance from this Department and is, therefore, required to comply with Title VI.

OCR's investigation to date indicated that the District may not have provided LEP parents/guardians with effective access to school-related information comparable to what was provided to non-LEP parents during the school's parent-teacher conferences and instances where LEP parents attempt to raise concerns with the school's principal. Specifically, OCR's review of the records provided by the District identified a concern that the District may not have a consistent process to ensure interpreters are qualified to provide effective services. In addition, the information indicated that school staff may not be receiving consistent notice regarding the various interpreter services that are available to communicate with LEP parents.

In accordance with Section 302 of OCR's *Case Processing Manual* (CPM), a complaint may be resolved at any time when, prior to OCR issuing a draft letter of findings under CPM Section 303(b), the recipient expresses an interest in resolving the complaint and OCR determines that it is appropriate to resolve the issues under investigation with an agreement. In this case, the District requested to resolve the complaint with an agreement. In light of the District's willingness to comprehensively address the concerns identified by OCR without further investigation, OCR has determined that entering into a voluntary resolution agreement is appropriate. Subsequent discussions with the District resulted in the District signing the enclosed agreement.

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.

This concludes OCR's investigation of the complaint. The complainant may have the right to file a private suit in federal court regardless of OCR's determination.

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.

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.

OCR will monitor the implementation of the agreement and will close the complaint when OCR determines that the terms of the agreement have been satisfied. Under the agreement, the District's first report to OCR is due by February 7, 2022.

Thank you for the cooperation that you and your staff extended to OCR staff in resolving this complaint. If you have any questions, please feel free to contact Tania Lopez, Senior Attorney, by telephone at (206) 607-1623, or by e-mail at tania.lopez@ed.gov.

Sincerely,

Tina Sohaili
Supervisory Attorney

Enclosure: Voluntary Resolution Agreement

cc: Christina Weidner, Porter Foster Rorick LLP (christina@pfrwa.com)