



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION XV

1350 EUCLID AVENUE, SUITE 325
CLEVELAND, OH 44115

REGION XV
MICHIGAN
OHIO

September 17, 2020

Via E-mail Only to dan@owdpc.com

Daniel J. LoBello, Esq.
O'Neill, Wallace & Doyle, P.C.
300 St. Andrews Road, Suite 302
Saginaw, Michigan 48638

Re: OCR Docket No. 15-16-7335

Dear Mr. LoBello:

This letter is to notify you of the disposition of the above-referenced complaint filed on September 13, 2016, with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against Coleman Community School District (the District) alleging that the District discriminated against the Complainant based on race. XXXXX.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d *et seq.*, and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin by recipients of federal financial assistance. As a recipient of federal financial assistance from the Department, the District is subject to this law.

Based on the complaint allegations, OCR opened an investigation of the following legal issue: whether the District, on the basis of race, excluded a person from participation in, denied him the benefits of, or otherwise subjected him to discrimination under any program or service of the District, in violation of the Title VI implementing regulation at 34 C.F.R. § 100.3.

During its investigation to date, OCR reviewed information provided by the Complainant and the District and interviewed the Complainant. The District expressed an interest in resolving the allegation prior to the conclusion of OCR's investigation and OCR determined resolution was appropriate.

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Under Section 302 of OCR's *Case Processing Manual*, allegations under investigation may be resolved at any time when, prior to the issuance of a letter of findings, the recipient expresses an interest in resolving the allegations and OCR determines that it is appropriate to resolve them because OCR's investigation has identified issues that can be addressed through a resolution agreement. In this case, the District expressed an interest in resolving the allegation prior to the conclusion of OCR's investigation and OCR determined resolution was appropriate.

On September 15, 2020, the District signed the enclosed Resolution Agreement, which, when fully implemented, will address all of the allegations in the complaint. OCR will monitor the implementation of the Resolution Agreement.

This concludes OCR's investigation of the 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 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 individual may file another 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, OCR 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.

The Complainant may file a private suit in federal court, whether or not OCR finds a violation.

OCR looks forward to receiving the District's first monitoring report by November 15, 2020. For questions about implementation of the Agreement, please contact Ms. XXXXX. She will be

overseeing the monitoring and can be reached by telephone at XXXXX or by e-mail at XXXXX.
If you have questions about this letter, please contact me by telephone at (216) 522-7640.

Sincerely,

/s/

Sacara E. Miller
Supervisory Attorney/Team Leader

Enclosure