



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

REGION IX
CALIFORNIA

50 UNITED NATIONS PLAZA
MAIL BOX 1200, ROOM 1545
SAN FRANCISCO, CA 94102

November 15, 2021

VIA ELECTRONIC MAIL

Frank Kopcinski
fkopcinski@crla.org

(In reply, please refer to case no. 09-21-1250.)

Dear Mr. Kopcinski:

On June 2, 2021, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received your complaint against Paso Robles Joint Unified School District (District) on behalf of Paso People's Action. You and your co-counsel (the Complainants) allege discrimination on the basis of race and national origin. OCR currently understands your allegations to be:

1. The District discriminates against Limited English Proficient (LEP) parents and community members by failing to communicate with them in a language that they can understand at School Board and 7-11 Advisory Committee (Committee) meetings;
2. The District treated Latino LEP parents and community members differently by denying them the opportunity to participate as members of the Committee; and
3. The District discriminated against Latino and English Learner (EL) students through the Committee's recommended closure of Georgia Brown Elementary School (School).

OCR is responsible for enforcing Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulation, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin under any program or activity receiving Federal financial assistance. The District receives funds from the Department and is therefore subject to Title VI.

OCR is opening allegations #1, 2, and 3 because OCR has determined that it has jurisdiction, that the complaint was filed on a timely basis or qualified for a waiver of the timeliness requirement, and that the allegations are appropriate for investigation under the laws and regulations enforced by OCR.

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

Please note that opening allegations for investigation in no way implies that OCR has decided their merits. During the investigation, OCR is a neutral fact-finder, collecting, and analyzing relevant evidence from the complainant, the recipient, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and is dispositive of the allegations, in accordance with the provisions of Article III of the *Case Processing Manual (CPM)*.¹ You may also have the right to file a private suite in federal court whether or not OCR finds a violation.

OCR is committed to resolving complaints as promptly as possible. OCR will contact you or your designated representative soon to discuss the allegations and the complaint resolution process. Complaint allegations may be resolved in a variety of ways, including through an OCR-Facilitated Resolution Between the Parties (FRBP). Under FRBP, if both parties are interested, they may voluntarily resolve the complaint allegations by signing a written agreement. Note that in such a case, OCR does not monitor or enforce the agreement reached between the parties. Please inform OCR if you are interested in resolving this complaint through FRBP.

OCR may close this complaint prior to making formal findings of compliance or non-compliance, provided that the circumstances or information gathered establishes an administrative or other basis for resolution in accordance with the CPM.

Federal regulations prohibit the District from retaliating against you or from intimidating, threatening, coercing, harassing, or subjecting you or anyone else to other retaliation because you filed a complaint with OCR or because you or anyone else take part in the complaint resolution process. If you believe such actions occur, you may file a retaliation complaint with OCR.

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

If you have any questions about this letter, please call our office at 415-486-5555.

Sincerely,

Mary Beth McLeod
Program Manager

¹ OCR's CPM (dated Aug. 26, 2020) can be found at: www.ed.gov/ocr/docs/ocrcpm.pdf.