



**Office for Civil Rights
Discrimination Complaint Form**

Your complaint with the Office for Civil Rights has been automatically forwarded to the following office for review:

Office for Civil Rights/EO
Washington DC (Metro)
400 Maryland Avenue, SW
Washington, D.C., 20202-1475

Phone: 202-453-6020
TDD: 800-877-8339
Fax: 202-453-6021
Email: OCR.DC@ed.gov

So that we can best assist you, we call your attention to the following:

1. *If you need to communicate with OCR regarding your complaint before you are contacted directly, please do not reply to this message, which would result in your reply going to a send-only server address. Instead, please direct your correspondence to the above office at OCR.DC@ed.gov*
2. *If you need to modify or supplement your complaint, please do not use the complaint form to submit another complaint with the new information. Instead, you may simply send an email to the office that has your complaint. Filing duplicative complaints may impede our ability to review your concerns in a timely manner. (If you have a separate complaint involving other matters, you may of course use this form to submit it.)*
3. *Remember that before OCR can process your complaint, we must receive a signed and dated consent form. If we have not received your signed consent form within 20 calendar days of the date of this email, we will close your complaint. A copy of the Office for Civil Rights Consent Form is available for your convenience at OCR Complaint Consent Form. Please sign and date the appropriate response on the consent form and mail it to the OCR Enforcement Office at the address above. If you do not have access to a printer, please email or call the OCR Enforcement Office identified above to request a blank consent form.*
4. *It is recommended that you print a copy of this message and retain it for your records.*

If you have not already read the following documents, they can be downloadable from the links below:

- [Information About OCR's Complaint Processing Procedures](#)
- [Office for Civil Rights Notice About Investigatory Uses of Personal Information](#)

The following information has been sent to the specified office:

1. Enter information about yourself.

First Name: Lisa
Last Name: Bennett
Address: 123 E. Broad St.
City: Richmond
State: VA
Zip Code: 23219
Best Time to Call You: DAY
Primary Phone Number: 804-521-7303
Alternative Phone Number: 804-643-1086
Your Email Address: lisa@justice4all.org

2. Who else can we call if we cannot reach you?

Contact's Name: Gloria Crook
Daytime Phone Number: 804-521-7300
Relationship to you: Administrator

3. Who was discriminated against?

Someone else

If someone other than yourself please Include:

Injured Person's Name: CLIENT
Daytime Phone Number: Client
Evening Phone Number: ADDRESS
Relationship to You: COUNTY
VA
ZIP CODE
Deleted Contact Info.

4. What institution discriminated?

Institution Name: Richmond Public Schools
Address: 301 North Ninth St.
City: Richmond
State: VA
Zip Code: 23219
School or department involved: Pupil Personnel

5. Have you tried to resolve the complaint through the institution's grievance process, due process hearing, or with another agency?

No

Agency Name: Date Filed:

Current status of the complaint:

6. Describe the discrimination

On what basis were you discriminated against?

Origin;

On or about December 12, 2013 Ms. CLIENT was informed by an attorney representing her son, CLIENT, that she had a right to appeal Richmond Public Schools' decision to expel her son. Ms. CLIENT then called the Richmond School Board Clerk, Angela Lewis, at (804) 780-7716 to inquire about her appeal rights. Upon calling, she asked to speak to someone in Spanish about her right to appeal an expulsion. She was told by Richmond Public Schools personnel that they did not have anyone who spoke Spanish to explain Ms. CLIENT her rights. This conversation was only the last in a series of discriminatory acts committed by RPS which prevented Ms. CLIENT from actively participating in and understanding RPS's disciplinary process. On or about July 27, 2013, Ms. CLIENT received a letter sent by Angela Lewis, the Clerk of the School Board, attempting to inform her that the School Board's Disciplinary Committee had upheld the hearing officer's recommendation for expulsion and, therefore, CLIENT would be expelled from Richmond City Public Schools (RPS) for 365 days and could petition for readmission in one year. This letter did not attempt to inform Ms. CLIENT of her right to appeal the Committee decision to the circuit court for the City of Richmond and this letter was provided to Ms. CLIENT, a monolingual Spanish speaker, in English only. On May 15, 2013 RPS held a disciplinary hearing for CLIENT, a then (age) year old (grade) student at a RPS Middle School. This hearing was conducted in English by Robin Dalton, a hearing officer, and was attended by CLIENT (CLIENT's mother and parental guardian), CLIENT (CLIENT's step-father), and a school representative. Because CLIENT is under the age of 18, his mother-CLIENT – holds his educational rights. Ms. CLIENT is a monolingual Spanish speaker. This

hearing was conducted without the offer or provision of an interpreter. Additionally, the notice of disciplinary infraction, all statements and documentation submitted to substantiate the RPS's principal's recommendation to expel CLIENT and the notice of appeal rights provided at this hearing were only provided to Ms. CLIENT in English. On May 17, 2013 a letter was mailed by Robin Dalton, the RPS hearing officer, attempting to inform Ms. CLIENT of her decision to recommend CLIENT for expulsion. This letter also contained a notice of Ms. CLIENT's right to appeal the decision to the School Board; however, it was again only provided in English. Being unable to understand the timeline for appeal and the consequences of her inaction, Ms. CLIENT failed to file a timely appeal and CLIENT's case was reviewed by the School Board without the opportunity for CLIENT or his mother to appear and present testimony or evidence in favor of CLIENT's return to school. Because of RPS's failure to provide an English-Spanish interpreter and notices in Spanish, Ms. CLIENT was prevented both from meaningfully participating in the disciplinary process, and understanding her rights. Title VI requires schools, as this Office has stated, "to adequately communicate with limited-English-speaking parents about important school-related information in languages they can understand." (Office for Civil Rights, U.S. DEPT. OF EDUC., TITLE VI ENFORCEMENT HIGHLIGHTS 13 (July 2013); see 34 C.F.R. §100.3(b)(1)). Clearly RPS's decision to discipline and ultimately, expel CLIENT is important school-related information that needed to be communicated to Ms. CLIENT in Spanish, the only language that she could understand. In fact, it is hard to conceive of school-related information more important than the decision to exclude a student from educational services for 365 days. RPS has a continuing policy and practice that discriminates against parents like Ms. CLIENT on the basis of their race and national origin by failing to adequately inform them of important information and give them equal access to services, particularly in the disciplinary process. This inadequate notice was the last in a series of discriminatory acts committed by RPS which prevented Ms. CLIENT from actively participating in and understanding RPS's disciplinary process.

Do you have written information that you think will help us understand your complaint? No

7. When did the last act of discrimination occur?

Enter the date: 12/12/2013

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

No

Reason for not filing complaint before 180 days:

B. What would you like the institution to do as a result of your complaint?

Ms. CLIENT would like Richmond Public Schools to void CLIENT's expulsion and grant Ms. CLIENT and CLIENT the opportunity for a hearing before the School Board's Disciplinary Committee. A student may only be expelled after written notice to the parent informing them of the reasons for the decision and their right to a hearing before the School Board (Va. Code Ann. § 22.1-277.06). Ms. CLIENT never received an effective written notice and therefore the School Board could not properly expel CLIENT. Currently, CLIENT's invalid expulsion is causing him to be excluded from public school in Henrico County, where Ms. CLIENT now lives. Alternatively, Richmond Public Schools should readmit CLIENT upon expedited petition, which would prevent exclusion from Henrico County schools. Ms. CLIENT would also like Richmond Public Schools to provide English-limited and non-English monolingual parents with academic and disciplinary notices in their native languages. The current practice and policy of the Richmond Public schools to provide correspondence and notices in English is discriminatory to parents like Ms. CLIENT who are precluded from understanding and participating in their children's education to the same extent as English speaking parents based solely on their national origin.

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