

From: OCR
To: OCR Dallas
Cc: (b)(6); (b)(7)(A); (b)(7)(C)
Subject: FW: Teacher (b)(6); (b)(7)(A); (b)(7)(C) NEISD San Antonio
Date: Friday, March 1, 2024 8:13:01 AM

Good morning OCR Dallas,
We are forwarding the complaint below to you for review and appropriate handling.

Thank you,
OPEN Center Customer Service Team
Office for Civil Rights

-----Original Message-----

From: (b)(6); (b)(7)(A); (b)(7)(C)
Sent: Friday, March 1, 2024 12:56 AM
To: OCR <OCR@ed.gov>
Subject: Teacher (b)(6); (b)(7)(A); (b)(7)(C) NEISD San Antonio

[You don't often get email from (b)(6); (b)(7)(A); (b)(7)(C) Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear U.S. Department of Education Civil Rights Office:

At this time we (parents of (b)(6); (b)(7)(A); (b)(7)(C)) feel it is appropriate to file a Civil Rights Claim against (b)(6); (b)(7)(A); (b)(7)(C) grade teacher at (b)(6); (b)(7)(A); (b)(7)(C) School in NEISD in San Antonio, Texas.

My daughter, (b)(6); (b)(7)(A); (b)(7)(C) age (b)(6); (b)(7)(A); (b)(7)(C) grade, has been racially profiled and harassed by (b)(6); (b)(7)(A); (b)(7)(C) in (b)(6); (b)(7)(A); (b)(7)(C) class profiling my (b)(6); (b)(7)(A); (b)(7)(C) race in specific incidents from (b)(6); (b)(7)(A); (b)(7)(C) has made comments/conduct limiting (b)(6); (b)(7)(A); (b)(7)(C) rights to NEISD grading regulations upon (b)(6); (b)(7)(A); (b)(7)(C) where (b)(6); (b)(7)(A); (b)(7)(C) refused to provide the NEISD grading policy of reteach, review, retest on the work that (b)(6); (b)(7)(A); (b)(7)(C) had pre-approved excused absences, but upon return from (b)(6); (b)(7)(A); (b)(7)(C) absence (b)(6); (b)(7)(A); (b)(7)(C) did not teach (b)(6); (b)(7)(A); (b)(7)(C) the assignments and assessments- (b)(6); (b)(7)(A); (b)(7)(C) made discriminatory comments to and about (b)(6); (b)(7)(A); (b)(7)(C) race in front of students in (b)(6); (b)(7)(A); (b)(7)(C) class. (b)(6); (b)(7)(A); (b)(7)(C) assigned (b)(6); (b)(7)(A); (b)(7)(C) forced (b)(6); (b)(7)(A); (b)(7)(C) to (b)(6); (b)(7)(A); (b)(7)(C) told (b)(6); (b)(7)(A); (b)(7)(C) expectations for these tasks and inspected (b)(6); (b)(7)(A); (b)(7)(C) work publicly in front of the other students. (b)(6); (b)(7)(A); (b)(7)(C) has been (b)(6); (b)(7)(A); (b)(7)(C) complied for (b)(6); (b)(7)(A); (b)(7)(C) on a classroom job that does not exist in (b)(6); (b)(7)(A); (b)(7)(C) class job application. (b)(6); (b)(7)(A); (b)(7)(C) class job description states the class jobs change every week. (b)(6); (b)(7)(A); (b)(7)(C) job/sentence lasted (b)(6); (b)(7)(A); (b)(7)(C)

Since stating the (b)(6); (b)(7)(A); (b)(7)(C) school year, (b)(6); (b)(7)(A); (b)(7)(C) has experienced (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) My child is (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) because of the items above.

I am (b)(6); (b)(7)(A); (b)(7)(C) I ask that you address my claims of harassment and racial discrimination, and hazing based on (b)(6); (b)(7)(A); (b)(7)(C) race/religion.

Respectfully,
(b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) cell

Sent from my iPhone



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

Renaissance Tower
1201 Elm Street, Suite 1000
Dallas, TX 75270

REGION VI
LOUISIANA
MISSISSIPPI
TEXAS

May 6, 2024

Dr. Sean A. Maika, Superintendent
North East Independent School District
8961 Tesoro Drive, San Antonio, TX 78217
Sent via email only to: smaika@neisd.net

Re: North East Independent School District
OCR Docket No. 06-24-1596

Dear Dr. Maika:

On March 1, 2024, the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas office, received the above-referenced complaint against the North East Independent School District (District, NEISD) in San Antonio, Texas. The complainant alleged the District discriminated against her daughter (Student) on the basis of national origin (b)(6); (b)(7)(C) when, in the (b)(6); (b)(7)(A); (b)(7)(C) a teacher required her to (b)(6); (b)(7)(A); (b)(7)(C) more often than other students, called her names (e.g., (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C)), and assigned her (b)(6); (b)(7)(A); (b)(7)(C) for assignments she missed (b)(6); (b)(7)(A); (b)(7)(C)

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. Section 2000d *et seq.*, and its implementing regulation, at 34 C.F.R. Part 100, which prohibit discrimination on the bases of race, color, or national origin, including shared ancestry, in any program or activity receiving federal financial assistance from the U.S. Department of Education. As a recipient of federal financial assistance from the U.S. Department of Education, the District is subject to these laws.

OCR is opening the following issue for investigation:

- Whether the District treated the Student differently than other students and failed to respond to harassment of the Student on the basis of her national origin (b)(6); (b)(7)(A); (b)(7)(C) in violation of Title VI.

Please note that opening an investigation in no way implies that OCR has made a determination on the merits of the complaint. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the Complainant, the District, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and fully responds to the allegation in accordance with the provisions of the Case Processing Manual.

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

Our goal is the prompt, appropriate resolution of the complaint. While we are proceeding with an investigation, there are other approaches that can achieve this goal. In particular, please note the section on resolution of a complaint prior to the conclusion of an investigation. If the District expresses an interest in resolving the complaint and OCR determines that resolution of the complaint prior to the completion of the investigation is appropriate, OCR may attempt to negotiate an agreement with the District pursuant to Section 302 of the *Case Processing Manual*.

Attached is a request for data necessary to investigate this complaint. The Department's regulation implementing Title VI of the Civil Rights Act of 1964, at 34 C.F.R. § 100.6(c) gives OCR the authority to request this information. Please note that OCR has the right of access to records that are necessary for OCR's investigation, even if those records contain names or other personally identifiable information. *See* 20 U.S.C. §§ 1232g(b)(1) and 1232g(b)(3) regarding the applicable provisions of the Family Educational Rights and Privacy Act; *see also* 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii).

OCR requests that the District submit this information within 21 calendar days of the date of this letter (i.e., by **May 27, 2024**). We prefer that you submit information electronically, if feasible. If any item in our request is unclear, or if you experience any difficulty complying with this request, please contact us at the telephone number(s) provided below prior to the expiration of the 21-day period. Please be aware that OCR may need to make additional requests for information in the future. If OCR needs to conduct an on-site investigation, we will notify you in advance.

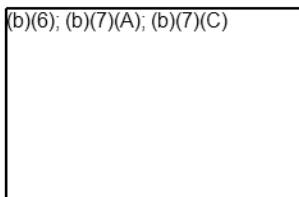
Please be advised that the District must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, or participates in an OCR proceeding. If this happens, the individual may file a retaliation complaint with OCR.

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

We look forward to your cooperation during the resolution of this complaint. If you have any questions, please contact me Carolyn Ruiz carolyn.ruiz@ed.gov or Sadia Rahman at sadia.rahman@ed.gov. You may also contact my supervisor, Melissa Malonson, at (214) 661-9610, or at melissa.malonson@ed.gov.

Sincerely,

(b)(6); (b)(7)(A); (b)(7)(C)

A rectangular box with a black border, containing the text "(b)(6); (b)(7)(A); (b)(7)(C)" at the top. The rest of the box is empty, indicating that the signature and name of the sender have been redacted.

Sadia Rahman
Civil Rights Attorney
Office for Civil Rights
Dallas Office