

From: OCR
To: OCR San Francisco
Cc: (b)(6); (b)(7)(A); (b)(7)(C)
Subject: FW: [DOJ CRT Referral] (b)(6); (b)(6);
Date: Tuesday, January 9, 2024 11:19:43 AM
Attachments: image001.png
image002.png
image003.png

Dear OCR San Francisco,
We are forwarding the complaint below to you for review and appropriate handling.
Thank you,
OPEN Center Customer Service Team
Office for Civil Rights

From: DOJ Civil Rights - Do Not Reply <civilrightsdonotreply@mail.civilrights.usdoj.gov>
Sent: Monday, January 8, 2024 9:28 AM
To: OCR <OCR@ed.gov>
Subject: [DOJ CRT Referral] (b)(6); (b)(7)(A); (b)(6); (b)(7)(A);

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.



Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100

Attn: U.S. Department of Education - Office for Civil Rights (EOS)

The Department of Justice's Civil Rights Division has received a complaint we feel is more appropriate for your agency. Please review the following details below:

Complainant Information

The following complainant information was collected through the civilrights.justice.gov reporting portal. Information not provided by the complainant will be indicated by a "—".

Reporting Portal Record Locator

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

Name

First name: (b)(6);
(b)(7)(A);

Last name: (b)(6);
(b)(7)(A);

Email

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

Phone

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

Complainant Contact Address

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

What is your primary reason for contacting the Civil Rights Division?

Discrimination at a school, educational program or service, or related to receiving education

Does your situation involve physical harm or threats of violence?

None

Relevant details

Did this happen at a public or a private school, educational program or activity? Public

Organization name

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

Where did this happen?

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

Roseville, CA

Do you believe any of these personal characteristics influenced why you were treated this way?

-

Are you now or have ever been an active duty service member?

No

When did this happen?

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

CRT receipt date

—/—/—

In your own words, describe what happened

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

I seek your help in a dire situation concerning (b)(6); (b)(7)(A); (b)(7)(C) Roseville, RSCD, California. My son (b)(6); (b)(7)(A); (b)(7)(C) was unreasonably (b)(6); (b)(7)(A); (b)(7)(C) by the (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) and I genuinely believe the reasons are racial and religious discrimination.

My son was accused of allegedly of (b)(6); (b)(7)(A); (b)(7)(C) with NO substantial evidence. We were NOT notified while the investigation took place. I was called on (b)(6); (b)(7)(A); (b)(7)(C) and met with (b)(6); (b)(7)(A); (b)(7)(C) and the (b)(6); (b)(7)(A); (b)(7)(C) at (b)(6); (b)(7)(A); (b)(7)(C)

My son was sitting at the office in utter distress while the (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) continuously berated him and accused my (b)(6); (b)(7)(A); (b)(7)(C) son of being (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) A horrendous accusation. Our son is friendly and a bright student has been under extreme stress.

He has been (b)(6); (b)(7)(A); (b)(7)(C) and

(b)(6); (b)(7)(A); (b)(7)(C) To our son's account, the situation was resolved within kids. The kid has requested for any (b)(6); (b)(7)(A); (b)(7)(C) and our son apologized and (b)(6); (b)(7)(A); (b)(7)(C) days ago. Our son is now being set up by the (b)(6); (b)(7)(A); (b)(7)(C) and classmates.

(b)(6); (b)(7)(A); (b)(7)(C) has consistently berated our son and called him a "liar" to us and called him a (b)(6); (b)(7)(A); (b)(7)(C) in front of him continuously in an aggressive manner. She is using (b)(6); (b)(7)(A); (b)(7)(C) to make him believe in her biased story. We are saddened by his current state because of her behavior. She is extremely unprofessional, racially-biased, and not fit to handle a situation as sensitive as this.

(b)(6); (b)(7)(A); (b)(7)(C) has not been involved at all, which leads us to think she has not been reporting the situation through proper channels. (b)(6); (b)(7)(A); (b)(7)(C) told us the investigation was still ongoing, however, (b)(6); (b)(7)(A); (b)(7)(C) took it upon herself to come to a resolution and our son was (b)(6); (b)(7)(A); (b)(7)(C) We were notified by text message only with her private number.

We are seriously concerned that she is the one handling the situation, with no official reporting as we were never notified. He is going to (b)(6); (b)(7)(A); (b)(7)(C) and it will (b)(6); (b)(7)(A); (b)(7)(C) as he is a very bright kid.

Since the rise of the Palestinian crisis. The rising brutality against (b)(6); (b)(7)(A); (b)(7)(C) all over the country has been heavy on the (b)(6); (b)(7)(A); (b)(7)(C) community. We truly feel in danger of sending our son to (b)(6); (b)(7)(A); (b)(7)(C) After knowing how (b)(6); (b)(7)(A); (b)(7)(C) treated my son and me in her office. She completely dismissed any of my concerns and seemed to have led a racially biased investigation.

She didn't provide us with any documentation of the investigation, accounts of students, or accounts of the family bringing the complaint. In her office, she berated us unnecessarily to the point where it has caused our family extreme duress.

We are asking for help from the Civil Rights Justice Dept to resolve this issue. thanks

Report language

This report submitted in: English

Complainant Letter

The following is a copy of the letter sent to the complainant:

Subject: Response: Your Civil Rights Division Report - (b)(6); (b)(7)(A); (b)(7)(C) from the Educational Opportunities Section

Content:



U.S. Department of Justice

Civil Rights Division

civilrights.justice.gov

Re: Your Civil Rights Division Complaint – (b)(6); (b)(7)(A);
(b)(7)(C) from the Educational Opportunities
Section

Thank you for contacting the Department of Justice on October 18, 2023. We have reviewed the information you provided and have determined that the complaint raises issues that are more appropriately addressed by another federal agency. We are, therefore, referring this complaint to the following agency for further action:

U.S. Department of Education, Office for Civil Rights
(800) 421-3481; (202) 453-6012 (fax); (800) 877-8339 (TDD)
OCR@ed.gov
<https://www2.ed.gov/about/offices/list/ocr/index.html>

What you can do:

The above agency will review your complaint. While we will take no further action on this matter, you can contact the agency above to check the status of your complaint.

You also may contact your state bar association or local legal aid office to assist you with any potential state and local legal issues.

To find a local office:

American Bar Association
https://www.americanbar.org/groups/legal_services/flh-home
(800) 285-2221

Legal Services Corporation (or Legal Aid Offices)
<https://www.lsc.gov/find-legal-aid>

How you have helped:

Although we will not be acting on your complaint, your report can help us find issues

affecting multiple people or communities. It also helps us understand emerging trends and topics.

Thank you for taking the time to contact the Department of Justice about your concerns.

Sincerely,

U.S. Department of Justice
Civil Rights Division

Contact

civilrights.justice.gov



U.S.
Department of
Justice
Civil Rights
Division
950
Pennsylvania
Avenue, NW
Washington,
D.C. 20530-
0001



(202) 514-
3847
1-855-856-
1247 (toll-
free)
Telephone
Device for
the Deaf
(TTY) (202)
514-0716



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

REGION IX
CALIFORNIA

50 UNITED NATIONS PLAZA
MAILBOX 1200, ROOM 1545
SAN FRANCISCO, CA 942012

March 18, 2024

Derk Garcia
Superintendent
Roseville City School District
1050 Main Street
Roseville, CA 95678

By email only to DGarcia@rcsdk8.org

Re: Roseville City School District - OCR Case No. 09-24-1216

Response required by: April 15, 2024

Dear Superintendent Garcia:

On January 9, 2024, the U.S. Department of Education (the Department), Office for Civil Rights (OCR), received a complaint against Roseville City School District (the District). The Complainant, (b)(6); (b)(7)(A); (b)(7)(C) alleges that the District discriminated on the basis of race and national origin (b)(6); (b)(7)(A); (b)(7)(C) against (b)(6); (b)(7)(A); (b)(7)(C) (the Student) when the District (b)(6); (b)(7)(A); (b)(7)(C) for (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) which resulted in (b)(6); (b)(7)(A); (b)(7)(C) against the Student. The Complainant also alleges that on (b)(6); (b)(7)(A); (b)(7)(C) he complained to the District that its (b)(6); (b)(7)(A); (b)(7)(C) of the Student constituted race-based discrimination and that the District has not responded to his complaint. The Complainant further alleges that the District has not produced a complete copy of the Student's records, including disciplinary records, in response to the Complainant's request for such records on (b)(6); (b)(7)(A); (b)(7)(C) even though the District stated that day that it would promptly provide the requested records.

OCR enforces 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 regulation implementing Title VI, at 34 C.F.R. § 106.71, provides that no recipient or other person shall intimidate, threaten, coerce or discriminate against any individual for the purpose of interfering with any right or privilege secured by regulations enforced by OCR or because one has made a complaint, testified, assisted or participated in any manner in an investigation, proceeding, or hearing held in connection with a complaint. As a recipient of federal financial assistance from the Department, the District is subject to Title VI.

OCR will investigate the following three legal issues: (1) Whether the District engaged in disparate treatment of the Student based on race and shared ancestry in violation of Title VI

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

when it (b)(6); (b)(7)(A); (b)(7)(C) him for his conduct on (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) (2) Whether the District failed to respond promptly and effectively to the Complainant's complaint alleging that the District's (b)(6); (b)(7)(A); (b)(7)(C) of the student was based on race; and (3) Whether the District retaliated against the Student and the Complainant by refusing to produce the requested school records after the Complainant complained of racial discrimination by the District on (b)(6); (b)(7)(A); (b)(7)(C)

Please note that OCR's decision to investigate these issues in no way implies that OCR has made a determination with regard to its 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 as required by OCR's Case Processing Manual (CPM), (July 18, 2022). Please open this link for additional information about OCR's Complaint Processing Procedures. OCR also would like to make you aware that individuals who file complaints with OCR may have the right to file a private suit in federal court whether or not OCR finds a violation.

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. For example, under Section 201(b) of OCR's CPM, if both parties are interested and OCR determines that the individual allegations are appropriate for mediation, the parties may voluntarily resolve these complaint allegations through mediation that OCR will facilitate. 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 mediation.

To reach an efficient and timely resolution of this matter, OCR is providing you an opportunity to present your response to these allegations and to submit supporting documentation. Please provide the information described in the attached data request by the date indicated at the top of this letter. OCR has determined that the information itemized in the attached data request is necessary to investigate the issues. The regulations implementing Title VI, at 34 C.F.R. §§ 100.6(b) and (c), require that a recipient of federal financial assistance make available to OCR information that may be pertinent to reaching a compliance determination. Pursuant to 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii), of the regulations implementing the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, OCR may review personally identifiable records without regard to considerations of privacy or confidentiality. OCR will take all proper precautions to protect the identity of any individuals named in the documents.

On receipt of this letter notifying the District that OCR has opened an investigation of the above-referenced allegation, **please contact OCR San Francisco at Susanne.Mao@ed.gov** with the name, title, email, and telephone number of the person you designate to be OCR's primary point of contact for the investigation of this complaint.

Please be advised that the District must not harass, coerce, intimidate, discriminate, or otherwise retaliate against any individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a

law enforced by OCR. If this happens, the individual may file a separate retaliation complaint with OCR.

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

Your cooperation is appreciated. If you have any questions, please contact our office at 415-486-5702 or Susanne.Mao@ed.gov.

Sincerely,

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

Ava De Almeida Law
Team Leader

Enclosures

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