



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

1350 EUCLID AVENUE, SUITE 325
CLEVELAND, OH 44115

REGION XV
MICHIGAN
OHIO

January 21, 2022

Via E-mail Only to: rsubei@ablelaw.org and rmurphy@ablelaw.org
Corrected Copy

Reem Subei, Esq.
Renee Murphy, Esq.
Advocates for Basic Legal Equality, Inc.
525 Jefferson Avenue
Toledo, Ohio 43604

Re: OCR Docket Nos. 15-21-1023

Dear Mses. Subei and Murphy:

Enclosed please find the disposition of the complaint you filed on October 15, 2020, against Dayton City School District with the U.S. Department of Education, Office for Civil Rights (OCR). You alleged discrimination on the basis of national origin. Specifically, you alleged that the District:

1. Does not effectively communicate with limited-English proficient (LEP) parents in a language that LEP parents can understand. For example, the District does not effectively communicate with LEP parents with respect to automated notifications, including school cancellations; student transportation issues; telephone calls; and parent-teacher conferences.
2. Does not provide LEP parents qualified interpreters at meetings with District staff and other educational providers including, but not limited to, meetings concerning special education services. For example, interpreters do not explain special education terminology and other technical terms; utilize Americanized versions of words; and provide personal opinions when interpreting.
3. Does not provide documents that are a part of both general education and special education in a language that LEP parents and students can understand. For example, the District does not regularly and routinely translate enrollment information/forms; report cards; progress reports; and special education documents such as consent forms, individualized education programs, evaluation team reports, and Section 504 plans.
4. Does not translate vital documents on its website into languages that LEP parents can understand. For example, the District does not translate enrollment instructions and forms; the student code of conduct; board policies; District calendars; and transportation information on its website.

Before OCR completed its investigation, the District expressed an interest in resolving the complaint pursuant to Section 302 of OCR's *Case Processing Manual*. The District has submitted an agreement to resolve the allegations in the complaint, which OCR explains in the enclosed letter to the District. In the letter, you are referred to as "the Complainants." The names of employees, students, and other parties were not used in the letter in order to protect individuals' privacy.

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. The 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 harmed 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.

You may have the right to file a private suit in federal court whether or not OCR finds a violation.

If you have questions about OCR's resolution of this complaint, please contact me by telephone at (216) 522-7640. If you have questions about OCR's monitoring of the District's implementation of the resolution agreement, please contact Ms. Erin Barker-Brown. She will be overseeing the monitoring and can be reached by telephone at (216) 522-4978 or by e-mail at Erin.Barker-Brown@ed.gov.

Sincerely,

Sacara E. Miller
Supervisory Attorney/Team Leader

Enclosures