



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

230 SOUTH DEARBORN ST., 37<sup>TH</sup> FLOOR  
CHICAGO, IL 60604

REGION V  
ILLINOIS  
INDIANA  
IOWA  
MINNESOTA  
NORTH DAKOTA  
WISCONSIN

August 26, 2022

Mr. Robert S. Eitel  
President  
Defense of Freedom Institute for Policy Studies

*Via electronic mail to:* [robert.eitel@dfipolicy.org](mailto:robert.eitel@dfipolicy.org)

Re: OCR Docket # 05-22-1469

Dear Mr. Eitel:

On June 1, 2022, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received the complaint you filed against the Oak Park - River Forest District 200 (District) alleging discrimination based on race, color, and/or national origin.

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 prohibits discrimination on the basis of race, color, and national origin by recipients of Federal financial assistance from the Department. As a recipient of Federal financial assistance from the Department, the District is subject to this law. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

OCR is evaluating your complaint in accordance with its *Case Processing Manual* (CPM) to determine whether to open an investigation. Pursuant to subsection 108(d) of the CPM, OCR will dismiss an allegation if the allegation(s) lacks sufficient detail (i.e., who, what, where, when, or how) for OCR to infer that discrimination may have occurred or is occurring.

After reviewing your complaint and the supplemental information provided on June 30, 2022, OCR has determined that it needs additional information. Please provide the following information within 20 calendar days of the date of this letter:

1. Your complaint states the District has announced its intention to implement a strategy by Fall 2023 to “consistently integrate equitable assessment and grading practices into all academic and elective courses” after its determination that traditional grading practices “perpetuate inequities and intensify the opportunity gap.” You allege the District’s stated intention discriminates against District students in violation of Title VI. Please provide the following information:
  - a. State whether the District has implemented the strategy referenced in Item 1.
    - i. If the strategy has been implemented by the District, describe how the strategy, as implemented, discriminates against District students 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.

2. In the complaint supplement, you provide information that you state is related to the District's consideration of capital expenditure proposal through the lens of its Racial Equity Plan. Does your complaint allege the District discriminates in violation of Title VI in this area? If yes, provide:
  - a. The specific act(s) of alleged discrimination.
  - b. The date on which the alleged act of discrimination occurred.
  - c. The individual(s) who engaged in the alleged discriminatory act.
  - d. The specific facts that lead you to believe the conduct constituted discrimination in violation of Title VI.
3. In the complaint supplement, you state the District has implemented a six-year professional development plan to eliminate racial bias in the classroom. Does your complaint allege the District's professional development plan discriminates in violation of Title VI? If yes, provide:
  - a. The specific act(s) of alleged discrimination.
  - b. The date on which the alleged act of discrimination occurred.
  - c. The individual(s) who engaged in the alleged discriminatory act.
  - d. The specific facts that lead you to believe the conduct constituted discrimination in violation of Title VI.
4. In the complaint supplement, you state the District provides "Race Equity Coaching" to its teachers. Does your complaint allege the coaching provided by the District discriminates in violation of Title VI? If yes, provide:
  - a. The specific act(s) of alleged discrimination.
  - b. The date on which the alleged act of discrimination occurred.
  - c. The individual(s) who engaged in the alleged discriminatory act.
  - d. The specific facts that lead you to believe the conduct constituted discrimination in violation of Title VI.
5. In the complaint supplement, you provide information you state is related to the District's implementation of District Policy 200, which you state requires the District to provide alternatives to punitive discipline. Does your complaint allege the District discriminates in violation of Title VI in this area? If yes, provide:
  - a. The specific act(s) of alleged discrimination.
  - b. The date on which the alleged act of discrimination occurred.
  - c. The individual(s) who engaged in the alleged discriminatory act.
  - d. The specific facts that lead you to believe the conduct constituted discrimination in violation of Title VI.
6. In the complaint supplement, you provide information you state is related to the District's hiring practices. You state the District has established hiring goals to increase the number of minority teachers and employees in the District. You characterize the hiring goals as a "racial quotas." Please provide:
  - a. Any information regarding any specific employee who has been denied employment by the District due to the hiring goals referenced in Item 6.
  - b. Any additional information you have in support of your contention that the District utilizes race-based quotas in its hiring practices.
  - c. Any additional information you have regarding actions done by the District in support of the above-referenced hiring goals that violate Title VI.

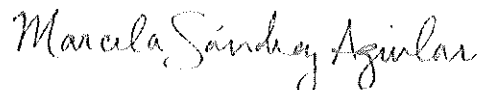
7. In the complaint supplement, you state that, for the 2022-23 school year, the District has announced the elimination of separate college-prep and honors level classes for freshman English, science, history, and world languages, with these courses being replaced with a single curriculum for all students. Does your complaint assert that the District's action constitutes discrimination in violation of Title VI? If yes, provide the specific facts that lead you to believe the act constituted discrimination in violation of Title VI.

If any of the acts of alleged discrimination occurred more than 180 days prior to the date on which you filed your complaint (June 1, 2022), please state whether you are requesting a waiver of OCR's timeliness requirement and, if so, the specific reason you did not file the complaint within 180 days of the alleged discrimination.

Please be advised that, if OCR does not receive the above-requested information within 20 calendar days of the date of this letter (September 15, 2022), OCR will dismiss these allegations.

If you have any questions about this letter, please contact Jason Frazer, Senior Attorney, 312-730-1653 at [jason.frazer@ed.gov](mailto:jason.frazer@ed.gov).

Sincerely,



Marcela Sanchez Aguilar  
Supervisory Attorney