



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

400 MARYLAND AVENUE, SW
WASHINGTON, DC 20202-1475

REGION XI
NORTH CAROLINA
SOUTH CAROLINA
VIRGINIA
WASHINGTON, DC

June 23, 2023

By email only to caroline@defendinged.org

Caroline Moore
Vice President
Parents Defending Education
4532 Cherry Hill Road #119
Arlington, VA 22207

Re: Case No. 11-23-1481
North Carolina School of Science and Mathematics

Dear Ms. Moore:

On May 3, 2023, the U.S. Department of Education, Office for Civil Rights (OCR) received your complaint against the North Carolina School of Science and Mathematics. You alleged that the School's Step Up to STEM summer program discriminates on the basis of race by excluding applicants who are not African American, Hispanic American, or Native American.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d *et seq.*, and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance from the Department of Education. The School receives federal financial assistance from the Department of Education, so OCR has jurisdiction over it pursuant to Title VI.

Because OCR determined that it has jurisdiction and that the complaint was timely filed, OCR is opening the complaint for investigation. Please note that opening the complaint for 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 you, the School, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and fully responds to the complaint in accordance with the provisions of the *Case Processing Manual*, available at <http://www.ed.gov/ocr/docs/ocrcpm.pdf>. More information about OCR's complaint processing procedures can be found at <http://www.ed.gov/ocr/complaints-how.html>. 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.

When appropriate, a complaint may be resolved before the conclusion of an investigation if the school expresses an interest to OCR in resolving the allegation(s) and OCR determines that it is appropriate to resolve them because OCR's investigation has identified concerns that can be addressed through a resolution agreement. In such cases, OCR obtains a resolution agreement signed by the school. This agreement must be supported by the evidence obtained during the

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investigation, and it must be consistent with the applicable statute(s) and regulation(s). Additional information about this voluntary resolution process may be found in OCR's *Case Processing Manual*.

Please be advised that the School 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, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint against the School 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, OCR will seek to protect, to the extent provided by law, personally identifiable information that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions, please contact Sarah Morgan, the OCR attorney assigned to this complaint, at 202-987-1459 or Sarah.Morgan@ed.gov.

Sincerely,

D. Frank Vinik

D. Frank Vinik
Team Leader, Team IV
District of Columbia Office
Office for Civil Rights