



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

8<sup>TH</sup> FLOOR, 5 POST OFFICE SQUARE  
BOSTON, MA 02109-3921

REGION I

CONNECTICUT  
MAINE  
MASSACHUSETTS  
NEW HAMPSHIRE  
RHODE ISLAND  
VERMONT

November 28, 2023

Caroline Moore  
Vice President, Parents Defending Education

By email: [REDACTED]

Re: Complaint No. 01-23-1257  
Newton Public Schools

Dear Caroline Moore:

This letter is to notify you that the U.S. Department of Education, Office for Civil Rights (OCR) has completed its evaluation of the above-referenced complaint you filed against Newton Public Schools (District). You allege that the District discriminated against students on the basis of race. Specifically, the complaint alleges that the District's Dover Legacy Scholars (DLS) Program excludes students based on race, per a District website(s). As explained below, OCR is dismissing your complaint.

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 basis of race, color, or national origin in any program or activity receiving federal financial assistance from the U.S. Department of Education. Because the District receives federal financial assistance from the U.S. Department of Education, OCR has jurisdiction over it pursuant to Title VI.

Section 108(f) of OCR's *Case Processing Manual* states that OCR will dismiss a complaint if the allegation(s), on its face or as clarified, fails to state a violation of one of the laws or regulations that OCR enforces. OCR confirmed that the District's website(s) describing DLS does not indicate that students are excluded based on race. The District's website states: "The mission of DLS is to enhance and expand the academic experience and achievement of children, such as Black and Latinx students, who have been historically underrepresented in our highest level academic programs. We do not exclude students based upon color, race, ethnicity, or religious background, and any student may apply."<sup>1</sup> Accordingly, OCR is dismissing the complaint.

This 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.

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<sup>1</sup> [Programs / Dover Legacy Scholars \(newton.k12.ma.us\)](https://www.newton.k12.ma.us/Programs/DoverLegacyScholars), last accessed November 28, 2023.

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, assists, or participates in a proceeding under a law enforced by OCR. 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.

Sincerely,

OCR Boston