



PALO ALTO UNIFIED SCHOOL DISTRICT
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BOARD OF EDUCATION

July 29, 2014

The Honorable Anna G. Eshoo
U.S Representative, 18th District
698 Emerson Street
Palo Alto, CA 94301

Dear Representative Eshoo,

We would like to respectfully bring your attention to Palo Alto Unified School District's recent adoption of Resolution 2013-14.16 expressing concerns regarding investigation practices of the U. S. Department of Education's Office for Civil Rights (see attachment). We are sharing this resolution and background documents with the sincere hope of gaining your support for constructive efforts to review and improve OCR's investigation practices.

Palo Alto Unified School District is dedicated to the mission that our schools and classrooms honor and respect the civil rights of all students at all times. We cherish a long history of exceptional outcomes with regard to student inclusion and nondiscrimination – achieved through hard work, innovative partnerships, and the proactive efforts of our students, staff, and community.

We support efforts to raise public consciousness of the importance of students' civil rights and to continually strive to strengthen our own protective practices. So when our goals and those of OCR are so complementary and aligned, it stands to reason that the agencies' relationship should be readily collaborative and efficient to encourage and maintain constant respect for all students' civil rights. Unfortunately, our District's work with OCR toward the vital purpose we share leads us to believe the collaborative work of our agencies can be improved significantly.

Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault (April 2014) identifies increasing transparency and improving enforcement efforts of the federal government as a central goal. Although we understand this First Report primarily addresses post-secondary institutions, we are glad to see the Task Force will be considering "how our recommendations apply to public elementary and secondary schools – and what more we can do to help there." We believe our experiences with recent investigations as an individual school district offer valuable and critical lessons for consideration and expect that many school districts throughout the U.S. share our concerns with OCR's investigation practices and for how such practices are impeding and discouraging efforts toward our vital collective purpose. We suggest further discussions and examination of practices are warranted and will yield a more efficient and effective investigative process for OCR and other agencies. It is absolutely critical for schools and educators to have a voice in these discussions.

As our representative, we ask you to examine OCR's investigative processes carefully and to request active participation in discussions and review of ways those processes may be improved for all. In addition to our resolution, we have attached a document that offers examples and recommendations from the District's experience.

We are most grateful for the time you gave us last August, and we are requesting an opportunity to meet with you again to discuss our experiences and ways collaboration between OCR and school districts may be improved. We are hopeful and confident that OCR's federal leadership will thoughtfully review concerns and provide for school districts to have more positive, effective, and meaningful interactions with OCR in furtherance of our shared mission.

Thank you for your consideration. We will contact you in the near future to schedule an agreeable time for a meeting. Please do not hesitate to contact us with any questions.

Sincerely,

Barb Mitchell
President, Board of Education
Palo Alto Unified School District

Melissa Baten Caswell
Vice President, Board of Education
Palo Alto Unified School District

Attachments

cc: Vernon M. Billy, Executive Director, California School Boards Association
Lenore Silverman, Chad J. Graff, Fagen Friedman & Fulfrost