



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Mark R. Herring
Attorney General

October 3, 2019

202 North Ninth Street
Richmond, Virginia 23219
804-786-2071
Fax 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

Via Certified Mail

Eric Williams, Ed.D.
Superintendent
Loudoun County Public Schools
21000 Education Court
Ashburn, Virginia 20148

RE: *In re: Loudoun County Public Schools,*
DHR Case No.: 19-2652-MS

Dear Dr. Williams:

Earlier this year, our office received a complaint alleging that African-American students enrolled in Loudoun County Public Schools ("LCPS") have been denied an equal opportunity to participate in LCPS' Academies of Loudoun programs. While we were in the process of reviewing that complaint, on June 6 the Equity Collaborative published its 2019 Systematic Equity Assessment of LCPS ("2019 equity assessment"). We appreciate that LCPS, which we understand commissioned the 2019 equity assessment, is taking action to respond to its troubling findings.

The Virginia Office of the Attorney General ("OAG") seeks to safeguard the rights of all young Virginians to obtain an education free from unlawful discrimination and is charged with and committed to ensuring that federal and state anti-discrimination laws are aggressively enforced through investigation, conciliation, and if necessary, litigation. The Virginia Human Rights Act, Va. Code § 2.2-3900 et seq. and Va. Code § 2.2-520 et seq. (the "Act"), authorizes the Division of Human Rights ("Division") of the OAG to inquire into incidents and investigate complaints that may constitute unlawful acts of discrimination. The Division hereby exercises jurisdiction in accordance with the Act, to conduct an investigation into the allegation relating to the Academies of Loudoun and the incidents described in the 2019 equity assessment in order to ensure compliance under the Act and applicable federal statutes. To further our investigation, we seek your cooperation with the Division through transparent communication and timely production of relevant information and documentation responsive to the Division's request.

First, the Division requests information about the Academies of Loudoun. In particular, please provide our Division the following information:

Dr. Eric Williams

Page 2 of 3

- Method used to recruit students to apply;
- Criteria used to evaluate students and make admission decisions;
- Individuals who establish and evaluate the criteria used;
- Number of LCPS students who applied to the Academies of Loudoun programs in Fall and Winter cycles in 2018 and 2019—please identify by race/ethnicity and gender/sex.
- Number of LCPS students who were admitted to the Academies of Loudoun programs in Fall and Winter cycles in 2018 and 2019—please identify by race/ethnicity and gender/sex; and
- How LCPS addressed the apparent statistical disparities in the number of African-American students applying to Academies of Loudoun programs and securing admission into the programs during the 2018 admissions cycle.

Second, the Division requests information about LCPS' planned or implemented responses to the following findings in the 2019 equity assessment:

- Discipline policies and practices that have a disproportionately negative impact on students of color, particularly Black/African-American students;
- Ongoing racial insults/slurs and racially motivated violent actions in the school setting;
- Low level of racial consciousness and racial literacy among key school site staff, including absence of proactive measures to prevent racially charged incidents; and
- Perceived biases in the LCPS hiring process.

While the 2019 equity assessment at page 21 of 23 provides steps LCPS has taken to work towards fostering equity in LCPS *preceding* the publication of the equity assessment, we request that you provide our Division with any additional information regarding any further steps taken by LCPS to eliminate discriminatory conduct brought to light by this assessment. In particular, please provide our Division the following information:

- Steps LCPS has taken and intends take to address the specific findings referenced above;
- An update on the development of a comprehensive equity plan as referenced in your June 5, 2019, letter to the LCPS Ad Hoc Committee on Equity;
- An update on the status of the Minority Student Achievement Advisory Committee's recommendation on February 26, 2019, that Loudoun County School Board mandate implicit bias training for all LCPS employees; and
- Any additional documents, drafts, correspondence, or other forms of communication relevant to the equity assessment.

Please provide a response to this request for information on or before November 4, 2019.

In addition to the information requested above, the Division would like to interview the administrator of the Academies of Loudoun program, the authors of the 2019 equity assessment, and any relevant LCPS staff involved with the 2019 equity assessment and the Academies of

Dr. Eric Williams
Page 3 of 3

Loudoun. Accordingly, please notify the Division of the name and contact information of the individual who will serve as the LCPS's contact person for this investigation.

The ultimate goal of this investigation is to determine whether unlawful discrimination is taking place and, if so, to eliminate those discriminatory practices and ensure that equal educational opportunities are made available to all students enrolled in LCPS. Thank you for your cooperation in this matter. Your point of contact at the OAG is Assistant Attorney General Mona Siddiqui, who may be reached at (804) 786-1068 or MSiddiqui@oag.state.va.us. We look forward to your response within the time indicated.

Sincerely,

A handwritten signature in blue ink that reads "R. Thomas Payne, II". The signature is written in a cursive, flowing style.

R. Thomas Payne, II
Chief, Division of Human Rights

RTP II