



U.S. Department of Justice
Civil Rights Division
Educational Opportunities Section

EM:CSA: AL
DJ 169-54-25

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November 2, 2015

Via Electronic Mail

H. Lawrence Armstrong, Esq.
Armstrong Law, PLLC
119 Whitfield Street
Enfield, NC 27823
Email: hla@hlalaw.net

Re: *United States v. Halifax Co. Bd. of Educ.* C.A. No. 1128 (E.D.N.C.)

Dear Mr. Armstrong:

The United States of America ("United States") is a plaintiff in the above-referenced school desegregation case. Periodically, the Department of Justice undertakes case reviews of school districts operating under court orders to which the United States is a party. Additionally, we have become aware that the Halifax County School District (the "District") is planning to close two elementary schools, and has recently become involved in a state suit seeking to consolidate the District with the Roanoke Rapids and Weldon City school districts. This letter is to notify you that we have initiated a case review to assess the District's compliance with the operative desegregation orders in this case and applicable federal law.

Accordingly, please produce the information listed in the attached Request for Information ("RFI") and any additional information the District believes might be helpful in this review by **December 2, 2015**. If any information is available on a website, please provide the website link. If any information is unknown or not currently maintained by the District, please provide a brief written explanation. To the extent possible, please provide all electronic files (e.g., Word documents, PDF files, Excel spreadsheets, PowerPoint presentations) in a native electronic format that can be searched or sorted saved to a CD, DVD, or flash drive. Please note that because of security concerns, the Department's incoming first-class mail is irradiated prior to delivery, which can cause delivery delays and may damage documents or digital media sent by regular mail. Therefore, please send all responses via FedEx (e.g., 3-day Express Saver), UPS, or another courier service to:

Aviva Love
U.S. Department of Justice, Civil Rights Division
Educational Opportunities Section
601 D Street NW, Suite 4300
Washington, DC 20004

If the District has any concerns about its ability to produce its responses within the requested timeframe or any other questions or concerns, please feel free to contact me at 202-307-6616 or aviva.love@usdoj.gov.

Following our review of the District's responses, we will contact the District if we require additional information or an onsite visit to complete our review. Thank you in advance for your cooperation and assistance with this request.

Sincerely,

A handwritten signature in cursive script that reads "Aviva Love".

Aviva Love
Law Clerk (Contractor)

Enclosed RFI

REQUEST FOR INFORMATION

Please provide the following information for the 2015-16 school year unless otherwise indicated:

I. GENERAL

- A. A list of all schools and programs located within the geographic boundaries of the Halifax County School District (the "District"), including, but not limited to, regular public schools, charter schools, magnet schools or programs, alternative schools or programs, vocational schools or programs, and schools and programs for expelled students. For each such school or program please provide a description of the school or program, the District's relationship to the school or program, and the manner in which students who reside in the District's attendance boundaries are assigned to such school or program.
- B. A map of the school system showing the name, location, and attendance zone of each District-operated school, including any District-operated magnet, alternative, vocational, or other programs listed in response to I.A. above.
- C. A copy of all administrator, faculty, staff, student, and parent handbooks.

II. STUDENT ASSIGNMENT

- A. The total number and percentage of students in each of the District's schools, by grade level and race, for the 2013-14, 2014-15, and 2015-16 school years. Please provide the data in an electronic format that can be searched and sorted.
- B. A copy or detailed description of the District's policies and procedures for assigning students to school, including the use of geographic attendance zones, whether the District permits students to attend school outside their residential attendance zone, and, if so, the criteria and procedures by which such assignments are made.
- C. A description of all changes to student assignment policies or procedures, including but not limited to attendance zone changes, that have been adopted over the last ten years or are currently under consideration, including copies of previous versions of those policies or procedures (if available).
- D. The number of students by race and grade level for each class in each school, indicating the name and race of the faculty member(s) assigned to the class, the subject of the class, and whether any students in the class are grouped or assigned by race, ability, achievement, language needs, or another basis.
- E. A copy of the District's and each school's policies and procedures for referring, evaluating, and placing students in special education and gifted and talented classes or programs.

- F. The total number of students, by race and grade level, who were (1) identified as a student with a disability and (2) whether they received an IEP or 504 plan for the 2013-14, 2014-15, and 2015-16 school years
- G. The total number of students, by race and grade level, who were (1) identified as gifted or talented and (2) received gifted or talented services for the 2013-14, 2014-15, and 2015-16 school years.
- H. A copy of all current policies and procedures for (1) intra-district student transfers and (2) inter-district student transfers. If there is no written policy or procedure, please provide a detailed description of the District's policies, practices, and procedures for requesting, granting, and/or denying each type of transfer.
- I. A list of all intra-district and inter-district transfer requests for the 2013-14, 2014-15, and 2015-16 school years. For each request, please include the requesting student's numerical student identifier), race, sending school, receiving school, school district (if outside the District), reason for the transfer request, whether the request was approved or denied, and the basis for that decision.

III. STUDENT DISCIPLINE

- A. A copy of all current District- and school-level student discipline policies, including, but not limited to, codes of conduct, dress code policies, alternative placement policies, due process policies, non-punitive behavioral intervention and disciplinary practices (*e.g.*, positive behavioral interventions and supports), and relevant handbook provisions, distinguishing District- from school-level policies.
- B. Sample copies of all current District- and school-level student discipline forms, including, but not limited to, forms for corporal punishment, office referrals, detentions, in-school suspensions, out-of-school suspensions, alternative school placements, expulsions, and referrals to law enforcement agencies.
- C. A list of students who were involved in a disciplinary incident leading to in-school or out-of-school suspension or alternative school placement for the 2014-15 school year. Please provide the data in an electronic format that can be searched and sorted on the following fields and include a key for abbreviations or discipline codes used. For each disciplinary incident, provide a separate entry for each student disciplined in connection with the incident and report the following:
 - 1. student's unique student identifier;
 - 2. school attended by the student at the time of incident;
 - 3. student's race;
 - 4. student's sex;
 - 5. student's grade level at time of incident;
 - 6. name(s), position(s), and race of the referring staff member(s);
 - 7. disciplinary infraction(s);
 - 8. date the incident occurred,

9. date of disciplinary action;
10. consequence (e.g., in-school or out-of-school suspension); and
11. length of consequence (e.g., 2-day in-school suspension, 1-hour detention).

- D. A copy of any training offered to District personnel on student discipline, as well as a list of all trainings offered to faculty/staff related to discipline for the 2013-14, 2014-15, and 2015-16 school years, including the provider/instructor of the training, date and duration, location, number of employees in attendance.

IV. DISCRIMINATION AND HARASSMENT

- A. A copy or detailed description of all complaints, written and oral, concerning the District's desegregation obligations or race discrimination (including harassment) that the District has received or of which it has been otherwise aware since the 2013-14 school year, including documentation of any District response or action.
- B. A copy of District- and school-level policies related to discrimination, including policies on harassment, bullying, cyberbullying, hazing, and related topics.

V. FACULTY AND STAFF

- A. The total number and percentage of employees, by work site (*i.e.*, school, central office) and race, in each of the following categories for the 2013-14, 2014-15, and 2015-16 school years:
 1. Administrators;
 2. Teachers (indicating full-time and part-time equivalents at each school);
 3. Other certified personnel; and
 4. Non-certified staff.
- B. A copy or narrative description of the District's faculty, staff, and administrator recruitment and hiring policies and procedures, including separate school-level policies or procedures (if any), and a detailed description of District-level or school-level efforts, if any, taken since the 2013-14 school year to recruit or hire minority or other candidates for administrator, faculty, or staff positions.

VI. EXTRACURRICULAR ACTIVITIES

- A. A list of extracurricular activities at each school during the 2015-16 school year.
- B. A student yearbook from each school for the 2014-15 school year (or a legible photocopy or digital scan of same), if available, which will be returned to the District upon completion of this review.
- C. Indicate whether any extracurricular activities, including yearbook class superlatives (*e.g.*, "class favorite," "most likely to succeed"), homecoming or prom courts, honor societies, clubs or teams, or awards, use selection criteria that take a student's race or ethnicity into consideration.

VII. FACILITIES

- A. The physical address of each school currently operated by the District, including, date(s) of construction and renovation(s), number of portables, and pupil capacity.
- B. A report of the amount of funding provided by the Halifax County Board of Commissioners for the District's facility maintenance, upkeep, and renovations.
- C. A description of the District's planned school closures, including the total number and percentage of students by grade and race/ethnicity (a) whose schools will be closed and (b) where those students will be reassigned (e.g., 70 black, 20 white, 10 Hispanic K-3 students from School A to School B).

VIII. TRANSPORTATION

- A. A copy of all current student transportation policies.
- B. A description of the District's process for assigning students to bus routes and whether it maintains computerized bus routes and student locator maps.

IX. OTHER INFORMATION

- A. A statement of all per pupil and other District funds requested from and provided by the Halifax County Board of Commissioners since the 2013-14 school year.
- B. Any other information that may be helpful in evaluating the District's compliance.