



J. Michael Clára
Salt Lake City School Board
District Two

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DELIVERED VIA ELECTRONIC MAIL

Dr. Sydnee Dickson, Superintendent of Public Instruction
% Utah State Board of Education
250 East Cesar Chavez Blvd.
Salt Lake City, Utah 84111



Re: Horizonte Alternative High School, College Advisor

Dear Dr. Dickson,

Acting under the authority of my elected office, and in my official capacity as a member of the Salt Lake City Board of Education, I am in the process of writing a discrimination complaint to the U.S. Department of Education Office for Civil Rights (OCR) on behalf of the residents of Salt Lake City, District 2.¹ This complaint is primarily against the Salt Lake City School District for discrimination based on the District's practice of **Resource Inequity**. More specifically, I have reason to believe that the District is discriminating against students based on race, color and national origin by not giving them equal access and opportunity to postsecondary preparation and transitional programs of the District, which is a violation of Title VI of the Civil Rights Act.²

My purpose in writing this letter to you, is to ascertain if the Utah State Board of Education is complicit in this violation through the appropriations from the Adult Education State Legislative Funding Program. It appears that the District received 1.7 million dollars under this state grant for the 2016-17 school year; \$25,000.00 of those dollars was allocated towards a College Advisor for Horizonte Alternative High School who worked with students in the high school and the adult programs. Over the past two years Horizonte has funded a College Advisor under contract for \$48,000.00 a year, with the District making up the difference. I was recently notified that Superintendent Cunningham³ eliminated this full-time position from Horizonte and is only permitting a part-time College Advisor to work in the school. Additionally, it appears that she has banned the College Advisor from working with adult students. Earlier this month, I asked Superintendent Cunningham for an explanation of her actions and she replied as follows:

"During last year's budget cycle a new position was added to each high school to assist students with scholarships and the college application process. This was essentially what Mr. Young was doing at Horizonte.

¹ Utah Code §53A-3-401(5)

² Title VI of the Civil Rights Act of 1964: No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

³ Newly appointed Superintendent of the Salt Lake City School District

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Señor Florez -Deseret News


Mr. Young was told that he could apply this position but we could not support the new position and an outside contractor. He did not apply for the new position and his contract was cancelled." ⁴

I later determined that Superintendent Cunningham's response was not true. There were no new positions added to the High Schools. Moreover, there is no basis for her to state that "we could not support the new position and an outside contractor". The so called "new position" was something of her own making. The funding for the contracted position was approved by the Salt Lake City Board of Education at its August 2, 2016 meeting. ⁵ This is the same position that the state is paying \$25,000.00 of the contract through the Adult Education grant. The truth of the matter is, the Salt Lake City School District has a total of four high schools. Horizonte Alternative High School has the highest concentration of ethnic minority students, yet, it has the least postsecondary transitional programs and resources at its disposal. For instance, East High, Highland High and West High each have a full-time College Advisor and a part-time Scholarship Advisor. In my OCR complaint, I will go into a more exhaustive comparison of programs like GEAR UP, AVID etc. which are not offered at Horizonte. Superintendent Cunningham's elimination of Horizonte's full-time College Advisor has created an even greater disparity which is a violation of Board policy and state and Federal statutes.

On September 20, 2016 - Superintendent Cunningham and her attorney (Kristina Kindl) convened an illegal closed door meeting of the Board of Education, only to repeat the false narrative that Horizonte's full-time College Advisor must be eliminated because of the so called "new positions" being added to the other High Schools.

On September 28, 2016 - The Board received an email from Superintendent Cunningham advising us that there were indeed no new positions created for the other High Schools. ⁶ Yet it does not appear that she is willing to reverse her decision to eliminate Horizonte's full-time College Advisor. I have made a request to have this issue placed on the October 4, 2016, Board agenda so that this situation may be rectified. At this point, it appears that we have a local Superintendent who defying an official act of a local Board of Education. I am trying to ascertain what role the offices of the Sate Board of Education have in this act of insubordination, bigotry and racism.

Shalom,



J. Michael Clára
Board Member, District 2

cc: State Auditor Dougall
Senator Escamilla & Representative Romero & Representative Hollins
Horizonte High, School Improvement Council & Mr. Kimball Young, Horizonte College Advisor
Superintendent Cunningham, Salt Lake City School District
U.S. Department of Education Office for Civil Rights

⁴ Dr. Cunningham email to Michael Clára – Salt Lake Education Foundation Audit 09/15/16

⁵ Board Meeting Minutes 08/02/16

⁶ Dr. Cunningham email to the Board of Education – Info 09/27/16

