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September 27, 2017

Via Electronic and Regular Mail
Dr. Thomas Ficarra
Interim Superintendent
South Orange-Maplewood School District
525 Academy street
Maplewood, NJ 07040

Re: In the Matter of the Policies and Practices of the SOMA School District

Dear Dr. Ficarra;

This firm serves as counsel to the SOMA Black Parents Workshop. Recently, the organization has been made aware of two instances in which African American students at Colombia High School who have sought to be enrolled in Honors classes have been denied that opportunity. In each case, the students' movement to advanced level classes would have been appropriate and in one of those cases, the advancement was suggested by the student's instructor and guidance counselor. The parents of the students were informed that the existing policies of the South Orange-Maplewood School District precluded students from advancing into an advanced level course which would be appropriately challenging during the school year (a practice referred to as "levelling up"). This policy would resign students to languish in classes which are not academically challenging while simultaneously narrowing their college selection options. It is wholly inconsistent with efforts that the District should be taking to address inequities in educational opportunities.

As you are aware, based upon an extensive review of the policies, practices and procedures of the South Orange-Maplewood School District, the United States Department of Education's Office of Civil Rights has determined that there exists a pattern and practice of "tracking" and denying African American students access to advanced level and Advanced Placement (AP) courses. This pattern and practice systemically discriminates against African American children and results in an intolerable inequity in the educational experience between African-American children and their peers.

The knowing and purposeful actions of the District appear to be in violation of the spirit and intent of the Resolution Agreement between the District and the Office of Civil rights, as well as the District's own policies regarding Access and Equity (5755.1) and Academic Placement (2314). Further, these actions may constitute violations of federal and State law, including Title VI and New Jersey's Law against Discrimination.

Accordingly, please consider this correspondence as a formal demand that the District cease any and all actions which may constitute discrimination including, but not limited to, the denial of equal access to advanced level courses for African American students; the practice of "tracking" students; and any other action which may be discriminatory as identified by the United States Department of Education's Office of Civil Rights.

The SOMA Black Parents Workshop reserves the right to address the failure of the District to immediately end these practices and to take all actions necessary to ensure equal access to all areas of education for African American children.

Please be guided accordingly.

Very truly yours,
LAW OFFICES OF ROBERT L. TARVER, JR.

Robert L. Tarver, Jr., Esq.

RLT/ce

c: Elizabeth Baker, President SOMSD Board of Education, via electronic mail
Sidney Sayovitz, Board Attorney, via electronic mail
Walter Fields, Black Parents Workshop, via electronic mail