**OCR’s Enforcement of Title VI:**

“School districts that receive Federal funds must not intentionally discriminate on the basis of race, color, or national origin, and must not implement facially neutral policies that have the unjustified effect of discriminating against students on the basis of race, color, or national origin. In assessing the allocation of educational resources, OCR will investigate and analyze the evidence found under both theories of discrimination — intentional discrimination and disparate impact — to ensure that students are not subjected to unlawful discrimination.”

“First, OCR would examine evidence regarding the quality, quantity, and availability of critical **educational resources** to determine whether there are *disparities among schools* serving similarly situated students or among similarly situated students within the same school. ..”

“Second, school districts would then be given an opportunity to explain the different treatment, and OCR would assess whether there existed any legitimate, nondiscriminatory, educational explanation from the school district. OCR anticipates that in some school-level resource equity investigations, school districts may be able to explain differing resource allocations as arising from educational strategies such as the operation of themed programs at particular schools that may justify, for example, specialized training, courses, or technology supports at one school versus another. As another example, different resource allocations may also arise from appropriate targeting of capital improvement expenditures at the most dilapidated buildings in a district. A district might also explain that an alleged disparity among schools with regard to the allocation of a particular resource (such as laptops in the classroom) is part of a plan for allocating a broader category of resources (such as classroom-based technology) and present evidence that the broader plan leads to an equitable allocation overall…”

“…OCR recognizes that States, districts, and schools have a significant amount of flexibility and variation in how they operate and that compliance with Title VI does not require a specific approach to ensuring equitable access to comparable resources.”