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December 9, 2005

James Manning
Assistant Secretary for Civil Rights
Office for Civil Rights
US Department of Education
550 12th Street, SW
Washington, D.C. 20202-1100

Dear Mr. Manning:

The League of United Latin American Citizens would like to request an official investigation by your department of the violation of a high school student's civil rights.

On November 28, 2005, a sixteen-year old boy, Zach Rubio of Kansas City, Kansas, was suspended for two days for speaking Spanish at his school. Mr. Rubio was disciplined by school officials for responding in Spanish to a classmate even though he was outside the classroom. Published reports that I have enclosed in this letter have mentioned that the principal of the school, Jennifer Watts, had repeatedly asked both Zach Rubio and other Spanish speaking students to not speak Spanish at the school. When called by Zach's father, Lorenzo Rubio, Watts responded that "We are not in Mexico, we are not in Germany."

Since then, the decision was rescinded by the school district to suspend the boy, but the action taken against him and the time lost at school is unacceptable. The principal and the teacher's actions were a blatant violation of the student's First Amendment rights and a clear example of language discrimination.

Whether the boy may or may not have been speaking Spanish during class is irrelevant. The paramount issues at stake are the First Amendment of the Constitution and language discrimination. *Why* was this boy disciplined?

Mr. Manning, the school has shown a consistent pattern of language discrimination. We at LULAC respectfully ask you to address this matter and investigate it immediately.

Sincerely,

Hector M. Flores
LULAC National President