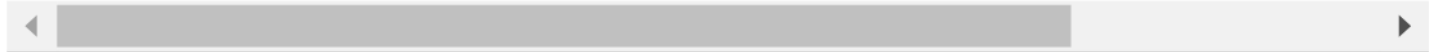


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Office for Civil Rights Discrimination Complaint Form: Submission #741224

◀ Previous submission Next submission ▶
(/admin/structure/webform/manage/office_for_civil_rights_discrimination/submission/379763) (/[admin/structure/webform/manage/office_for_civil_r](/admin/structure/webform/manage/office_for_civil_r))



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1. Enter information about yourself

First Name: Zainab

Last Name: Chaudry

Address: 6120 Baltimore National Pike

City: Catonsville

State: Maryland

Zip Code: 21228

Best Time to Call You: Day

Primary Phone Number: 410-971-6062

Alternative Phone Number: {Empty}

Your Email Address: zchaudry@cair.com (mailto:zchaudry@cair.com)

2. Who else can we call if we cannot reach you?

Contact's Name: Robert McCaw

Daytime Phone Number: (b)(6); (b)(7)(A);

Relationship to you: Colleague

3. Who was discriminated against?

Yourself or Someone else Someone else?

If someone other than yourself please include:

Injured Person's Name: Tori Gibbs, 12 year old child (Mother Latoya Gibbs)

Daytime Phone Number: (b)(6); (b)(7)(A);

Evening Phone Number: {Empty}

Relationship to You
(eg. son or daughter) Advocacy Client

Injured Person's Address: {Empty}

City: (b)(6); (b)(7)(A);

State: (b)(6);

Zip Code: (b)(6);

4. What institution discriminated?

Institution Name: Mace's Lane Middle School

Address: 1101 Maces Lane

City: Cambridge

State: Maryland

Zip Code: 21613

School or department involved: {Empty}

5. Have you tried to resolve the complaint through the institution's

grievance process, due process hearing, or with another agency?

Have you tried to resolve the complaint? Yes

Agency Name: (b)(6); (b)(7)(A); (b)(7)(C)

Date Filed

(MM/DD/YYYY): Tue, 03/26/2024 - 00:00

If yes, what is the current status of the complaint? The mother, Ms. Gibbs, attempted numerous times to address this matter with the school and ensure her daughter's safety by speaking multiple times with the (b)(6); (b)(7)(A); (b)(7)(C) as well as (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) to no avail.

6. Describe the discrimination

OCR enforces regulations that prohibit discrimination on the basis of race, color, national origin; sex; disability; and/or age.

(You may select more than one.)

On what basis were you discriminated against? national origin

In the space provided below please describe each discriminatory action separately. For each action, you need to provide the following information:

The following is a summary of the incidents reported to CAIR's Maryland Office:

March 25, 2024: 12 year old Tori Gibbs was harassed and bullied (b)(6); (b)(7)(A); (b)(7)(C) by peers who reportedly chanted (b)(6); (b)(7)(A); (b)(7)(C) hijab, or religious headscarf. Tori was distraught, replied, "Can you stop? Leave me alone, I don't talk about your religion."

A girl by the name of (b)(6); (b)(7)(A); (b)(7)(C) replied, (b)(6); (b)(7)(A); (b)(7)(C) Tori's mother Ms. Gibbs (b)(6); (b)(7)(A); (b)(7)(C) She tells CAIR she could hear the other students chanting (b)(6); (b)(7)(A); (b)(7)(C) and calling her (b)(6); (b)(7)(A); (b)(7)(C) Video camera footage reportedly shows Tori (b)(6); (b)(7)(A); (b)(7)(C) her headscarf being forcibly removed. Tori was (b)(6); (b)(7)(A); (b)(7)(C)

March 26, 2024: The mother, Ms. Gibbs, called (b)(6); (b)(7)(A); (b)(7)(C) to report the incident and ask her to (b)(6); (b)(7)(A); (b)(7)(C) reportedly said she would look into the matter. Meanwhile, other students also (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) After waiting to hear back from (b)(6); (b)(7)(A); (b)(7)(C) Ms. Gibbs sent another email asking (b)(6); (b)(7)(A); (b)(7)(C) to take action. Ms. Gibbs says she went to the school, showed videos and text messages, spoke to (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) to try and keep her daughter safe.

(b)(6); (b)(7)(A); (b)(7)(C) On the day, Ms. Gibbs tells CAIR that (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) who was involved in bullying and harassing her daughter. Ms. Gibbs tells CAIR that (b)(6); (b)(7)(A); (b)(7)(C) was reportedly instigating and encouraging his daughter to target Tori.

(Following the corrective action taken against (b)(6); (b)(7)(A); the situation at school reportedly became more tense for Tori. The pattern of bullying and harassment allegedly worsened in a retaliatory manner, with Ms. Gibbs telling CAIR that some students outright told Tori that she was being targeted because of the action taken against (b)(6); (b)(7)(A); (b)(7)(C). Meanwhile, Ms. Gibbs did not receive any information from the school about disciplinary actions taken against students bullying and harassing Tori, or what was being done to help keep her daughter safe.)

(b)(6); (b)(7)(A); (b)(7)(C) was called (b)(6); (b)(7)(A); by other students (b)(6); (b)(7)(A); (b)(7)(C) again being bullied and harassed. Ms. Gibbs tells CAIR that these students again forcibly removed Tori's hijab, or headscarf a second time. Tori (b)(6); (b)(7)(A); (b)(7)(C)

Media Coverage of Tori's case:

<https://www.wmdt.com/2024/05/muslim-community-rallies-around-cambridge-middle-schooler-following-attack/>

Do you have written information that you think will help us understand your complaint?

yes or no Yes

7. Your complaint must be filed within 180 days of the discriminatory action

The laws that we enforce require that complaints be filed with our office within 180 days of the alleged discriminatory event. If any of the alleged discriminatory actions took place more than 180 days before the postmark or receipt date of this complaint, you may request a waiver of the 180-day limit. When did the last act of discrimination occur?

When did the last act of discrimination occur?

Enter the date: (b)(6); (b)(7)(A); (b)(7)(C) - 00:00

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

yes or no No

Reason for not filing complaint before 180 days: {Empty}

8. What would you like the institution to do as a result of your

complaint?

What remedy are you seeking? On behalf of Tori, CAIR is seeking the following actions from the school and school system:

- Public apology before the school body to Tori and her family for the distress and ordeal she has endured
 - Appropriate disciplinary consequences for (b)(6); (b)(7)(A); (b)(7)(C) and staff who were informed about the prolonged pattern of reported faith-based (b)(6); (b)(7)(A); (b)(7)(C) and bullying Tori was subjected to, and who failed to keep her safe
 - Mandatory islamophobia and anti-bullying training, and cultural competency training on Islam and Muslims for educators and administrators at Mace's Lane Middle School
 - Appropriate corrective action and restorative measures against students involved in the (b)(6); (b)(7)(A); (b)(7)(C) and bullying, as well as other students' parents who reportedly may have played a role in their children's behavior
 - Policy review and amendments of the school's handling of these type of incidents
- (b)(6); (b)(7)(A); (b)(7)(C) if requested for Tori and her family to (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) of the ordeal they have suffered (b)(6); (b)(7)(A); (b)(7)(C) for Tori to be able to (b)(6); (b)(7)(A); (b)(7)(C)

9. Option to Participate in OCR's Early Mediation Process

I am interested in participating in early mediation: No

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UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

THE WANAMAKER BUILDING, SUITE 515
100 PENN SQUARE EAST
PHILADELPHIA, PA 19107-3323

REGION III
DELAWARE
KENTUCKY
MARYLAND
PENNSYLVANIA
WEST VIRGINIA

June 13, 2024

Via e-mail only to: daytonc@dcpsmd.org

Dr. Jymil Thompson
Interim Superintendent
Dorchester County Public Schools

Re: OCR Case Number 03-24-1359

Dear Dr. Thompson:

On May 13, 2024, the U.S. Department of Education, Office for Civil Rights (OCR), received a complaint against Dorchester County Public Schools (the District) alleging that the District discriminated against a student (Student) on the basis of national origin (shared Muslim ancestry) by failing to respond to incidents of harassment of the Student during the 2023-2024 school year.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d et seq., and its implementing regulations at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, and national origin by recipients of federal financial assistance. As a recipient of federal financial assistance from the Department of Education, the District is subject to this law.

OCR is opening the following issue for investigation:

Whether the District failed to respond to alleged incidents of harassment of the Student based on national origin (shared Muslim ancestry) in a manner consistent with the requirements of Title VI.

Please note that opening the complaint for investigation in no way implies that OCR has made a determination on the merits of the complaint. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the Complainant, the District, and other sources, as appropriate. OCR will ensure its investigation is legally sufficient and fully responds to the allegation in accordance with the provisions of the [Case Processing Manual](http://www.ed.gov/ocr/docs/ocrspm.pdf) (<http://www.ed.gov/ocr/docs/ocrspm.pdf>) (CPM).

Our goal is the prompt, appropriate resolution of the complaint. While we are proceeding with an investigation, there are other approaches that can achieve this goal. In particular, please note the section on resolution of a complaint prior to the conclusion of an investigation. If the District expresses an interest in resolving the complaint and OCR determines that resolution of the complaint prior to the completion of the investigation is appropriate, OCR may attempt to negotiate an agreement with the District pursuant to CPM Section 302.

Attached is a request for data necessary to investigate this complaint. The Department's regulation implementing Title VI of the Civil Rights Act of 1964, at 34 C.F.R. § 100.6(c) gives OCR the authority to request this information. Please note that OCR has the right of access to records that are necessary for OCR's investigation, even if those records contain names or other personally identifiable information. *See* 20 U.S.C. §§ 1232g(b)(1) and 1232g(b)(3) regarding the applicable provisions of the Family Educational Rights and Privacy Act; *see also* 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii).

OCR requests that the District submit this information within 21 calendar days of the date of this letter (i.e., by **July 5, 2024**). We prefer that you submit information electronically, if feasible. If any item in our request is unclear, or if you experience any difficulty complying with this request, please contact us at the telephone number(s) provided below prior to the expiration of the 21-day period. Please be aware that OCR may need to make additional requests for information in the future. If OCR needs to conduct an on-site investigation, we will notify you in advance.

Please be advised that the District must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, or participates in an OCR proceeding. If this happens, the individual may file a retaliation complaint with OCR.

Under the Freedom of Information Act (FOIA), it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, we will seek to protect personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released, to the extent provided by law.

We look forward to your cooperation during the resolution of this complaint. If you have any questions, please contact Michael Branigan, who can be reached by telephone at (202) 987-1461 or by e-mail at michael.branigan@ed.gov.

Sincerely,

(b)(6); (b)(7)(A); (b)(7)(C)

Craig D. Ginsburg
Supervisory Attorney

Enclosure

Data Request

Case Number: 03241359

Recipient: Dorchester County Public Schools

School: Mace's Lane Middle School

Student: Tori Gibbs

Please submit the following information by July 5, 2024. If any item in our request is unclear, or if you experience any difficulty complying with this request, please contact the staff member(s) identified above prior to July 5, 2024. OCR requests that you submit information electronically, if feasible. If any of the required items are available to the public on the Internet, you may provide the website address. If any responsive documents contain Social Security numbers, please **redact** them before producing the documents to OCR.

You may send documents by any of the following means:

SharePoint: OCR may create an external sharing site through a browser-based portal in which the requested documents and information may be uploaded. Please contact Michael Branigan to receive online portal information to upload data.

E-mail: michael.branigan@ed.gov

Please do **not** provide the information via an electronic cloud format such as Google Docs. Because e-mail is not reliably secure, please do not e-mail any document that contains personally identifiable or private information without first encrypting this information. You may upload this information using the SharePoint option described above.

OCR may request supplemental data and documents that are relevant to the allegation(s) under investigation. To ensure that OCR can assess the recipient's compliance with the statutory and regulatory obligations at issue in this investigation, please ensure that recipient employees preserve the data and documents requested below for the timeframe specified in these requests and going forward until OCR closes this case. Please also ensure that recipient employees preserve other data and documents that are relevant to the allegation(s) under investigation until OCR closes this case. The regulations implementing Title VI of the Civil Rights Act of 1964, at 34 C.F.R. § 100.6, requires that a recipient of federal financial assistance make available to OCR information that may be pertinent to reach a compliance determination.

Please provide the following information, without redactions:

1. The name, title, and contact information of the District's:
 - a. Person authorized to resolve this complaint;
 - b. Person responsible for responding to Title VI complaints; and
 - c. Person responsible for handling complaints of harassment/discrimination on the basis of national origin/shared ancestry, at each level of the process.

2. A copy of the District’s policies and procedures, and/or a description of the District’s practices, governing the investigation of complaints of harassment and/or discrimination on the basis of national origin, including shared ancestry. Include a detailed description of the complaint process, including each of the process, the length of the process, and the types of records maintained.
3. All formal or informal complaints or reports of harassment, including based on national origin (which includes shared ancestry), race, or color, made by, or on behalf of the Student during the 2023-2024 school year, including all records pertaining to the investigation into the complaints or reports, including but not limited to:
 - a. the name(s) and title(s) of the individuals who conducted the investigation;
 - b. a description and supporting documentation of any interim measures put in place during the investigation;
 - c. interview notes;
 - d. witness statements;
 - e. documentary evidence;
 - f. investigative reports;
 - g. notices regarding the outcome of the investigation;
 - h. a description and supporting documentation of any corrective actions taken, including but not limited to discipline, letters of reprimand, education, training, and counseling; and,
 - i. any appeal(s) submitted on behalf of the Student and the response to any appeal(s).
4. For all complaints or reports of harassment based on national origin, including shared ancestry, received at the School during the 2022–2023 school year, provide copies of the complaints/reports and related documentation (e.g., investigative reports, interview notes, final determinations, and any remedies provided, including those provided for individuals and on a school-wide or District -wide basis).
5. For each report/complaint in Item 4, provide the following:
 - a. the name(s) and title(s) of the individual(s) to whom the complaint/report was made, and the date of the complaint/report;
 - b. a detailed description of the complaint processing procedures employed to resolve the complaint/report;
 - c. the length of the process;
 - d. the name(s) and title(s) of the individual(s) involved in the handling of the complaint/report;
 - e. all actions the District took in response to the complaint/report;
 - f. the District’s final determination regarding the complaint/report;
 - g. any corrective action taken including discipline and/or supportive measures; and
 - h. any notice of the findings provided to the complainant.

6. Copies of all documentation related to any complaint(s) identified in response to Items 3 and 4, including but not limited to correspondence, internal and external memoranda, investigative reports, witness statements, logs, forms, meeting minutes, personnel file documents, disciplinary documents, supportive measures provided, and notes generated for each complaint.
7. State whether the District conducts trainings and/or holds informational sessions with the student community and/or District staff regarding students' rights under Title VI, how to report possible violations of Title VI, and/or the District's obligation to respond to Title VI complaints. If so, provide the dates of such events, a description of the attendees, and any materials presented and/or distributed.
8. The names and titles of all persons who assisted in the preparation of these data responses.
9. A narrative response to the issue opened for investigation.
10. Any other documentation or narrative explanation the District would like OCR to consider in its investigation, including the identification of relevant witnesses. For each individual identified, please provide a name, title, and current contact information.