



U.S. Department of Justice Civil Rights Division

Washington, DC 20530

May 22, 2023

Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100

WILSON COUNTY SCHOOL DISTRICT
04-23-1486
5/23/2023

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

Re: Your Civil Rights Division Complaint – 284629-MDN from the Educational Opportunities Section

Thank you for contacting the Department of Justice on April 21, 2023. We have reviewed the information you provided and have determined that the complaint raises issues that are more appropriately addressed by another federal agency. We are, therefore, referring this complaint to the following agency for further action:

U.S. Department of Education, Office for Civil Rights
(800) 421-3481; (202) 453-6012 (fax); (800) 877-8339 (TDD)
OCR@ed.gov
<https://www2.ed.gov/about/offices/list/ocr/index.html>

What you can do:

The above agency will review your complaint. While we will take no further action on this matter, you can contact the agency above to check the status of

your complaint.

You also may contact your state bar association or local legal aid office to assist you with any potential state and local legal issues.

To find a local office:

American Bar Association

https://www.americanbar.org/groups/legal_services/flh-home

(800) 285-2221

Legal Services Corporation (or Legal Aid Offices)

<https://www.lsc.gov/find-legal-aid>

How you have helped:


Although we will not be acting on your complaint, your report can help us find issues affecting multiple people or communities. It also helps us understand emerging trends and topics.

Thank you for taking the time to contact the Department of Justice about your concerns.

Sincerely,

U.S. Department of Justice

Civil Rights Division

ID: 284629-MDN **OPEN****RECEIVED:** 1:08 p.m. April 21, 2023 **LAST UPDATED:** 1:03 p.m. April 24, 2023

Correspondent information

Name(b)(6); (b)(7)(A);
(b)(7)(C)**Email**

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

Phone(b)(6); (b)(7)(A);
(b)(7)(C)**Address**

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

Reported Complaint

What is your primary reason for contacting the Civil Rights Division?

Discrimination at a school, educational program or service, or related to receiving education

None

Did this happen at a public or a private school, educational program or activity?

School type: Public

Organization name

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

Where did this happen?

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

Do you believe any of these personal characteristics influenced why you were treated this way?

National origin, Race/color, Religion

Are you now or have ever been an active duty service member?

No

When did this happen?

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

Personal description

Continuing racial, ethnic, and religious harassment. (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) The school officials refuse to address this in a meaningful way. (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) The main pe-

trators are below:

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

Report language

This report submitted in: English

From: [Brownlee, Joshua](#)
To: luttrellj@wcschools.com
Subject: OCR Data Request Letter for Wilson County 04-23-1486
Date: Thursday, November 9, 2023 9:16:00 AM

November 9, 2023

By electronic mail only to: luttrellj@wcschools.com

Mr. Jeff Luttrell
Superintendent
Wilson County Schools
415 Harding Drive
Lebanon, Tennessee 37087

Re: OCR Complaint No. 04-23-1486

Dear Mr. Luttrell:

On May 23, 2023, the U.S. Department of Education, Office for Civil Rights (OCR) received a complaint filed by (b)(6); (b)(7)(A); Complainant, against Wilson County School District (District). The Complainant alleged that the District discriminated against his daughter, (b)(6); (b)(7)(A); (b)(7)(C) (School) on the basis of national origin (shared ancestry). This letter refers to the Complainant's daughter as the Student.

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

The Complainant alleged that from (b)(6); (b)(7)(A); (b)(7)(C) other students at the School harassed the Student based on her national origin (b)(6); (b)(7)(A); (b)(7)(C) including making insulting statements and threatening her. The Complainant said that the Student complained to the District about such harassment at the School in (b)(6); (b)(7)(A); and that the Complainant reported the harassment to School administrators in (b)(6); (b)(7)(A); and the District never responded appropriately.

Based on the above, OCR will investigate whether the District discriminated against the Student by failing to address a hostile environment based on national origin (shared ancestry), in violation of Title VI and its implementing regulation at 34 C.F.R. §100.3.

Please note that OCR has determined that this complaint is appropriate for our Rapid Resolution Process, or RRP, as described in Section 203 of OCR's *Case Processing Manual*. Please notify OCR of the name, address, and telephone number of the person who will serve as the District's contact person during the resolution of this complaint. We would like to talk with this person as soon as possible regarding the information requested in this letter.

Below are data request items that are necessary to investigate this complaint. OCR intends to

conduct a prompt investigation of this complaint. The regulation implementing Title VI at 34 C.F.R. § 100.6(b) and (c), requires that a recipient of Federal financial assistance make available to OCR information that may be pertinent to reach a compliance determination. Pursuant to 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii), of the regulation implementing the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, OCR may review personally identifiable records without regard to considerations of privacy or confidentiality. If an item(s) in our request is unclear, please feel free to contact me. Please provide these data responses via email by **November 16, 2023** (hard copies are not necessary):

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, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint with OCR.

Under the Freedom of Information Act, 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, to the extent provided by law, personally identifiable information, that if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

OCR is committed to prompt and effective service. If you have any questions, please contact me at 202-987-1886 or by email at joshua.brownlee@ed.gov.

DATA REQUESTS:

1. A copy of each written complaint or report and notes or a summary of each unwritten complaint or report of slurs, name-calling, insults, threats or other harassment or mistreatment based on race, ethnicity, national origin, (b)(6); (b)(7)(A); (b)(7)(C) or another protected basis, that School or other District staff received on behalf of the Student. For each complaint or report also provide the items listed below; for items a) through d), include the dates of each step or action and, where possible, present the information in chronological order:

- a. the date of the complaint or report and a description of the steps School or other District staff took to investigate the complaint or report;
- b. the determination made by the School or District regarding the complaint or report;
- c. all disciplinary action, training, counseling, safety measures or other actions taken to address, eliminate or remedy any harassment;
- d. all interview or other notes, witness statements, investigation reports, investigation findings, notices, transcripts, recordings, discipline records, correspondence, logs, training records or other documents related to the complaint or report or to actions taken to remedy discrimination or harassment; and
- e. the names and titles of all School or other District staff involved in the response to the complaint or report.

2. If not already provided in response to the above items, all correspondence to, from or generated or entered into an electronic system by, any School or other staff during the (b)(6); (b)(7)(A) school year regarding the Student or the students accused of harassing the Student, or (b)(6); (b)(7)(A)

otherwise pertinent to the allegations in the complaint.

3. The roster for the Student's (b)(6); (b)(7)(A); team and documentation regarding any action taken by the (b)(6); (b)(7)(A); (b)(7)(C); or others in response to the alleged national origin harassment of the Student with respect to the (b)(6); team.

4. A copy of all documentation related to allegations that the students (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) accused of harassing or mistreating the Student were accused of mistreating other students prior to the (b)(6); (b)(7)(A); (b)(7)(C) school year.

5. Any additional information that the District believes may be helpful in resolving the complaint, if the District wishes to provide such information.

Joshua L. Brownlee
Attorney-at-Law
U.S. Department of Education
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He/Him/His
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