



UNITED STATES DEPARTMENT OF EDUCATION

**OFFICE FOR CIVIL RIGHTS
ADMINISTRATIVE COMPLAINT**

March 30, 2021

United States Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue, SW
Washington, DC 20202-1100
Via Email: OCR@ed.gov

To Whom It May Concern:

This is a federal civil rights complaint pursuant to the U.S. Department of Education's (Department) Office for Civil Rights' (OCR) discrimination complaint resolution procedures.

Parents Defending Education (PDE) brings this complaint against Orange County Schools (OCS or District) in Hillsborough, North Carolina, for discrimination on the basis of race, color or national origin in programs or activities that receive Federal financial assistance in violation of Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d *et seq.*

PDE makes this complaint as an interested third-party organization that opposes racial discrimination and political indoctrination in America's schools. The District's "Affinity Space" program runs afoul of the aforementioned anti-discrimination statute and its respective implementing regulations. Attached to this complaint is supporting evidence in the form of an email sent by the District's Public Information & Community Engagement Officer, Melany Stowe, on behalf of Orange County Public School's Chief Equity Officer, Dr. Dena Keeling, to all school staff on September 2, 2020. Stowe's letter, which is quoted in the email, details the implementation of "Affinity Spaces" for staff.

"Affinity Spaces" is the school's label for explicit racial segregation:

"... OCS will begin holding Affinity Spaces for OCS Staff. An Affinity Space is a safe space where people who share an identity can talk and support each other through individual and collective healing. It is not a space to organize around hate, instead the purpose is to reduce racial harm and increase harmony and community.



"Given what I highlighted above, our first Affinity Space is for African American Staff. We are making these African American Affinity Spaces available starting this week and we will continue to make these spaces available throughout the year." Dr. Dena Keeling

The School Based Student Support Leads and District Social Emotional leadership will meet weekly to expand the district's plan for supporting all OCS students and staff. Some of the next steps include developing a plan to support students and making Affinity Spaces available for other identity groups.

As the Department of Education is no doubt aware, segregating on the basis of race at a public school has a long and unpleasant history in this country, and we ask that OCR promptly investigate the allegations in this complaint, act swiftly to remedy unlawful policies and practices, and order appropriate relief.

Thank you for your prompt assistance with this request for investigation and resolution. Please contact me for further information.

Sincerely,

Nicole Neily
President
Parents Defending Education
Nicole.neily@defendinged.org

Enc. Exhibits A



EXHIBIT A



----- Forwarded message -----

From: **Melany Stowe** <melany.stowe@orange.k12.nc.us>
Date: Wed, Sep 2, 2020 at 11:41 AM
Subject: Email to all OCS Staff Sent on Behalf of Chief Equity Officer Dr. Dena Keeling
To: Melany Stowe <melany.stowe@orange.k12.nc.us>
Cc: Dena Keeling <dena.keeling@orange.k12.nc.us>

Equity Department Update

A number of incidents have occurred in the past week which may have elicited/be eliciting some strong emotions in OCS students and staff, particularly our African American staff and students.

Some significant events from the week of August 23rd that may be impacting your staff and students:

- Jacob Blake, African American male, was shot in the back 7 times by police in front of his children.
- During the protests of Blake's shooting, armed white men walked down the street with guns and killed two people and injured a third person.
- Chadwick Boseman died of colon cancer at the age of 43. Boseman was the lead in the movie Black Panther, a movie that had a significant impact on the lives of Black adults and students. He also portrayed other significant African American figures, including Thurgood Marshall, Jackie Robinson, and James Brown. Boseman was an anti-racism activist and powerful inspirational leader in the Black community.
- Boseman's death also further highlighted health disparities for People of Color. Boseman was diagnosed with colon cancer at the age of 39. Doctors say this type of screening doesn't need to occur until 45.
- On August 27, there was a March on Washington, which marked the 57th anniversary of the historic March on Washington. The March was organized as a call for racial justice and police reform.

This list does not include the disproportionate impact of COVID-19 on the African American community and other communities of color.

Dr. Keeling met with the School Based Student Support Leads and district Social Emotional leadership to develop a plan to support students and staff. As a result, OCS will begin holding Affinity Spaces for OCS Staff. An Affinity Space is a **safe** space where people who share an identity can talk and support each other through individual and collective healing. It is not a space to organize around hate, instead the purpose is to reduce racial harm and increase harmony and community.

"Given what I highlighted above, our first Affinity Space is for African American Staff. We are making these African American Affinity Spaces available starting this week and we will continue to make these spaces available throughout the year." Dr. Dena Keeling

The School Based Student Support Leads and District Social Emotional leadership will meet weekly to expand the district's plan for supporting all OCS students and staff. Some of the next steps include developing a plan to support students and making Affinity Spaces available for other identity groups. Updates will be forthcoming.

For more information, please contact our Chief Equity Officer Dr. Dena Keeling at dena.keeling@orange.k12.nc.us.

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Melany Stowe
Public Information & Community Engagement Officer
Orange County Schools