



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

915 2nd AVENUE, ROOM 3310  
SEATTLE, WA 98174-1009

REGION X

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WASHINGTON

May 8, 2023

**Via email only:** [nicole.neily@defendinged.org](mailto:nicole.neily@defendinged.org)  
Nicole Neily

Re: Ashland School District  
OCR Reference No. 10231122

Dear Nicole Neily

For the reasons discussed below, the U.S. Department of Education, Office for Civil Rights (OCR) is dismissing the above-referenced complaint against Ashland School District. OCR investigated whether the District is discriminating against students on the basis of race by offering student affinity groups at Ashland High School and Ashland Middle School that are restricted by race.

OCR has the authority to enforce Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d *et seq.*, and its implementing regulation, at 34 C.F.R. Part 100, which prohibits discrimination on the bases of race, color, and national origin in programs and activities receiving federal financial assistance. Because the University receives financial assistance from this Department, it is required to comply with Title VI.

Under the OCR's Case Processing Manual, OCR may dismiss a complaint when OCR obtains credible information indicating that the allegations raised by the complainant are currently resolved.

After being notified of OCR's investigation, the District informed OCR that, although participation in the affinity groups was never restricted based on race, the District provided information to OCR establishing that the District revised the websites at issue to clearly state that participation in the affinity groups is open to all participants regardless of race. The District also provided written notice to staff district-wide explaining the revisions and directing that an inclusivity statement be included in all student announcements, newsletters and advertisements for the affinity groups. In addition, the District included an announcement in the student newsletters for Ashland High School and Ashland Middle School stating that the affinity groups provide an inclusive environment open to all students regardless of race.

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

[www.ed.gov](http://www.ed.gov)

Because OCR has obtained credible information indicating that the allegation is currently resolved, OCR is dismissing the complaint.

This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. This letter serves as OCR's final agency determination and there is no right to appeal. You may have the right to file a lawsuit in court regardless of OCR's determination.

We are dismissing this case as of the date of this letter. If you have any questions, please contact Tania Lopez, Senior Attorney, by telephone at (206) 607-1623, or by e-mail at [tania.lopez@ed.gov](mailto:tania.lopez@ed.gov).

Sincerely,

Sarah Dunne  
Chief Attorney