



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS
ADMINISTRATIVE COMPLAINT

April 26, 2024

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 Greeley-Evans District 6 in Greeley, Colorado for discrimination on the basis of race in programs or activities that receive federal financial assistance in violation of both Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d et seq., and the Equal Protection Clause of the 14th Amendment to the U.S. Constitution.

PDE makes this complaint as an interested third-party organization with members who are parents of school children throughout the country. PDE and its members oppose discrimination on the basis of race and political indoctrination in America's schools. Greeley-Evans District 6 has parent affinity groups that are not accessible to all parents. The District only permits some parents to participate and their participation is based on immutable characteristics. Attached to this complaint is evidence in the form of an email invitation to a "Black Family Affinity Group" that was sent on behalf of Greeley-Evans District 6 (Exhibit A).

Exhibit A presents the District's "Black Family Affinity Group" as "a wonderful opportunity for our Black families to connect with one another." A purpose of this affinity group may be to "create a supportive and inclusive educational environment for all students" and share "invaluable" feedback to the District. In addition, the District seeks for Black families to share experiences and "engage with District initiatives."

Admittance into this affinity group appears to be solely based on an individual's race. While DAC [District Accountability Committee] and SAC [School Accountability Committee] parent volunteer groups are required in all public schools in Colorado, Greeley-Evans District 6 appears to have created an alternative affinity group that only serves Black families.



As for additional benefits of the “Black Family Affinity Group,” such as meals, additional meetings, resources, and access to district administrators, those too would confer a benefit on the basis of race and national origin that is not offered to all students.

As the Department of Education is no doubt aware, discrimination on the basis of race raises concerns that Greeley-Evans District 6 has received federal funds in violation of Title VI of the Civil Rights Act of 1964, which declares that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

In addition, Section 1 of the 14th Amendment to the U.S. Constitution asserts: “No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” On these grounds, the Supreme Court held in 1954 that racial segregation of students is unconstitutional. *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954).

A September 29, 2015 decision from the Department of Education Office for Civil Rights during the Obama Administration is directly on point: in 2015, following “the police actions involving African American victims in Ferguson and New York and subsequent events,” Oak Park & River Forest High School District 200 held a “Black Lives Matter” assembly during Black History Month. The assembly was convened “for African American students only” because the district wanted “to provide a comfortable forum for black students to express their frustrations.” Certain students “who self-identified as white were directed by District officials not to participate in the event as this assembly was designed for students who self-identify as black.” In the letter sent on September 29, 2015 (OCR Docket #05-15-1180), OCR found that the district violated the Equal Protection Clause and Title VI because the district’s actions could not withstand strict scrutiny. Specifically, the district failed to “assess fully whether there were workable race-neutral alternatives” and “did not conduct a flexible and individualized review of potential participants.” In a Resolution Agreement with OCR, the district agreed that its programs and activities would be “open to all students . . . regardless of their race” and to adopt policies and training to ensure the district’s compliance. OCR imposed these requirements even though the district had promised “not to hold such events in the future.”

Accordingly, we ask that the Department 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,

A handwritten signature in black ink that reads "Caroline Moore". The signature is written in a cursive style with a large initial "C" and "M".

Caroline Moore
Vice President
Parents Defending Education

Enc. Exhibit A



EXHIBIT A



**Greeley-Evans | Weld County School District 6
Office of School Leadership**

1025 NINTH AVENUE
GREELEY, COLORADO 80631
970-348-6000
WWW.GREELEYSCHOOLS.ORG

Dear Parents & Community,

We're excited to invite you to our upcoming Black Family Affinity Group meeting, scheduled for **April 9th** from **5:30 to 7:00 PM** at the district office. The district office location is 1025 9th Ave, Greeley, CO 80631. Please park on the east side of the building and use the east door.

This gathering offers a wonderful opportunity for our Black families to connect with one another, share experiences, and engage with district initiatives. Your feedback is invaluable to us, and we're eager to hear your thoughts and insights as we work together to create a supportive and inclusive educational environment for all students.

Pizza and water will be provided to ensure a comfortable and welcoming atmosphere. We encourage you to join us, meet other families, and contribute to our ongoing dialogue.

We look forward to seeing you there!

Parents | Best regards, [REDACTED]