



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

400 MARYLAND AVENUE, SW  
WASHINGTON, DC 20202-1475

REGION XI  
NORTH CAROLINA  
SOUTH CAROLINA  
VIRGINIA  
WASHINGTON, DC

July 21, 2022

By email only to [REDACTED]

Nicole Neily  
President  
Parents Defending Education

Re: Case No. 11-22-1333  
School District of Pickens County

Dear Ms. Neily:

On April 21, 2022, the U.S. Department of Education, Office for Civil Rights (OCR) received your complaint against the School District of Pickens County. You alleged that the District discriminated against students on the basis of race, color, or national origin by holding racially segregated learning sessions on or around April 15, 2022.

OCR enforces 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 prohibit discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance from the Department of Education. The District receives federal financial assistance from the Department of Education, so OCR has jurisdiction over it pursuant to Title VI.

Because OCR determined that it has jurisdiction and that the complaint was timely filed, OCR is opening the complaint for investigation. 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 you, the District, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and fully responds to the complaint in accordance with the provisions of the *Case Processing Manual*, available at <http://www.ed.gov/ocr/docs/ocrcpm.pdf>. OCR also would like to make you aware that individuals who file complaints with OCR may have the right to file a private suit in federal court whether or not OCR finds a violation.

When appropriate, a complaint may be resolved before the conclusion of an investigation after the school district expresses an interest to OCR to resolve the complaint. In such cases, OCR obtains a resolution agreement signed by the school district. This agreement must be aligned with the complaint allegations and the information obtained during the investigation, and it must be consistent with applicable regulations. Additional information about this voluntary resolution process may be found in OCR's *Case Processing Manual*.

*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)

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 against the District 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, OCR 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.

If you have any questions, please contact Michael Gerton, the OCR attorney assigned to this complaint, at 202-245-6738 or michael.gerton@ed.gov.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Barmon".

Jennifer Barmon  
Team Leader, Team III  
District of Columbia Office  
Office for Civil Rights