



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

1350 EUCLID AVENUE, SUITE 325  
CLEVELAND, OH 44115-1812

REGION XV  
MICHIGAN  
OHIO

September 19, 2023

Via e-mail only to: [REDACTED]

Ms. Nicole Neily  
President  
Parents Defending Education  
4532 Lee Highway #119  
Arlington, Virginia 22207

Re: OCR Docket No. 15-22-1403

Dear Ms. Neily:

On May 17, 2022, the U.S. Department of Education, Office for Civil Rights (OCR), received a complaint you filed against Jackson Public Schools (the District). The complaint alleged, based on a 2019 equity audit for which the District contracted, that the District discriminated on the basis of race, color, or national origin. Specifically, you alleged that an equity audit, conducted by Ajusted Equity Solutions in 2019 using survey administration and online data analysis, revealed disparities and other issues related to race, color, or national origin in the District.

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 by recipients of federal financial assistance. As a recipient of federal financial assistance from the U.S. Department of Education, the District is subject to this law.

OCR is dismissing your complaint for the reason explained below.

As explained in Section 106 of OCR's *Case Processing Manual* (CPM), OCR generally will take action only with respect to allegations that are filed within 180 days of the alleged discrimination unless OCR grants a waiver under Section 107 of the CPM. You filed this complaint more than 180 days after the 2019 audit report on which you base your allegation of discrimination and you did not offer any information, other than the existence of the report, to support a basis to infer ongoing discrimination in the District. You requested a waiver of the 180-day filing requirement because the organization you represent "just recently learned the information about this district." OCR has reviewed your request and declines to waive OCR's 180-day deadline.

You have a right to appeal OCR's determination of this complaint within 60 calendar days of the date indicated on this letter. An appeal can be filed electronically, by mail, or by fax. You must submit either a completed online appeal form, which can be found at

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

<https://ocrcas.ed.gov/content/ocr-electronic-appeals-form>, or a written statement of no more than ten (10) pages (double-spaced, if typed). If submitted by mail, please send it to the Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202. If submitted via e-mail, please send it to [OCR@ed.gov](mailto:OCR@ed.gov); if submitted via fax, please send it to 202-453-6012. The filing date on an appeal is the date the appeal is postmarked, submitted electronically, or submitted via fax. In the appeal, you must explain why you believe the factual information in this letter was incomplete or incorrect, the legal analysis was incorrect, or the appropriate legal standard was not applied, and how correction of any error(s) would result in the case being opened for investigation; failure to do so may result in dismissal of the appeal.

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. OCR 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.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions about this letter, you may contact me at (216) 522-4709 or [John.Cohen@ed.gov](mailto:John.Cohen@ed.gov).

Sincerely,

A handwritten signature in black ink that reads "John Cohen". The signature is written in a cursive style with a large initial "J" and "C".

John Cohen  
Team Leader