



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

JOHN C. KLUCZYNSKI FEDERAL BUILDING
230 S. DEARBORN STREET, 37TH FLOOR
CHICAGO, IL 60604

REGION V
ILLINOIS
INDIANA
IOWA
MINNESOTA
NORTH DAKOTA
WISCONSIN

September 27, 2024

Via e-mail only to: [REDACTED]

Caroline Moore

Re: Burnsville-Eagan-Savage School District 191 – OCR Case Number 05-24-1325

Dear Ms. Moore:

On February 14, 2024, the U.S. Department of Education, Office for Civil Rights (OCR), received the complaint you filed against Burnsville-Eagan-Savage Independent School District 191 (the District) alleging that the District discriminates against non-Indigenous students on the basis of race by excluding them from participation in the Indigenous Student Council (ISC).

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d *et seq.*, and its implementing regulations at 34 C.F.R. Part 100, which prohibit discrimination based on race, color, and national origin by recipients of federal financial assistance. As a recipient of federal financial assistance from the Department, the District is subject to Title VI.

OCR processes complaints in accordance with its [Case Processing Manual \(CPM\) \(July 18, 2022\)](#). Section 110(d) of OCR’s CPM states that OCR will close or dismiss an allegation if OCR obtains credible information indicating that the allegation is currently resolved.

With regard to your allegation of race discrimination, you allege the District excludes students who are not Indigenous from the ISC because language on the District’s indicated the group was “open to all eligible American Indian/Alaska Native (Indigenous) students.” The District informed OCR that the ISC is open to all students and the District does not exclude non-Indigenous students from participating in the ISC or ISC events. Additionally, the District updated its [Affinity Groups website](#) to clarify that the ISC is “open to all students, regardless of any specific tribal membership.”

Based on this information, OCR has determined that the allegation is currently resolved. Accordingly, OCR is dismissing the complaint as of the date of this letter.

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. Individuals who file complaints with OCR may have the right to file a private suit in court regardless of OCR’s determination.

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 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, it 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 about this letter, you may contact Miguel Figueras, OCR Attorney by telephone at (202) 987-1346 or by e-mail at miguel.figueras@ed.gov.

Sincerely,

Melissa Katt

Melissa Katt
Supervisory Attorney