



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS  
ADMINISTRATIVE COMPLAINT

October 4, 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 Kirkwood School District in Kirkwood, MO 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. Kirkwood School District permits only some educators to participate in certain programming and their participation is based on their race. Attached to this complaint is evidence in the form of a district webpage titled, "Kirkwood Teachers of Color," which explicitly states the District's intent to "hire, mentor, and retain teachers of color" (Exhibit A),<sup>1</sup> a district webpage titled, "KSD Minority Recruitment and Networking Event," which highlights the District's intent to specifically recruit educators based on their race (Exhibit B), and a document titled, "Kirkwood Teachers of Color Newsletter," which provides a detailed analysis of the Kirkwood Teachers of Color affinity group, as well as programming and benefits associated with the affinity

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<sup>1</sup>"Kirkwood Teachers of Color," Accessed 9/17/24, <https://www.kirkwoodschoools.org/discover-ksd/diversity-equity-and-inclusion/kirkwood-teachers-of-color-ktoc>



group (Exhibit C).<sup>2</sup> These exhibits indicate that the District is acting in a race conscious and discriminatory way.

Exhibit A describes a commitment the District has to teachers of color (Ex. A). Specifically, the District intends to carve out “half-day profession development activities” and “intentional brave and safe spaces for our teachers” (Ex. A).

A newsletter for “Kirkwood Staff of Color” notes there is a private online group forum associated with the group. Unlike other public online forums accessible to all, the newsletter explains that is not the case with the “Kirkwood Teachers of Color” affinity group. Instead, the newsletter notes, “it is a private page for Kirkwood Staff of Color” (Ex. C at 9). Moreover, admittance to this online forum is handled by District staff personnel. These personnel can grant or deny access to District staff based on their race.

Additionally, even the Kirkwood Teachers of Color Newsletter states that the affinity group is only open to some educators to participate, and involvement is tied to an individual’s race (Ex. C at 3):

“Kirkwood Teachers of Color (KTOC) participates in experiences that combine culturally responsive mentoring and coaching with professional development and leadership opportunities relevant to their needs. We intentionally support teachers of color relationships with building administration so that as a team, they can foster and cultivate a school environment that will allow teachers of color to thrive. Input from teacher surveys, interviews, and mentoring are used to facilitate and design a professional development program. These experiences create and connect teachers of color to one another, with their building administrators, colleagues, and other support and growth opportunities.”

Still later, the newsletter outlines that Kirkwood School District awards an annual “Kirkwood Teachers of Color Scholarship” (Ex. C at 3). This District scholarship is awarded to a student in the District who identifies as “Black, Indigenous, or a student of color (BIPOC)” (Ex. C at 3).

The District’s events for the affinity group “Kirkwood Teachers of Color” specifically note who among District staff are welcome to attend: only “staff of color” are permitted to attend the events (Ex. C at 9).

Furthermore, the District has a webpage specifically dedicated to upcoming “minority recruitment and networking event” (Ex. B).

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<sup>2</sup> “KSD Minority Recruitment and Networking Event,” Accessed 9/17/24, <https://mo49000011.schoolwires.net/Page/10968>



As for additional benefits of the “Teachers of Color” affinity group, such as “professional development,” “training,” “lunch,” and “hiring and networking,” “scholarships for ‘Black Educators Symposium,’” those too would confer a benefit on the basis of race that is not offered to all staff (Ex. C at 5).

As the Department of Education is no doubt aware, discrimination on the basis of race raises concerns that Kirkwood School District 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,

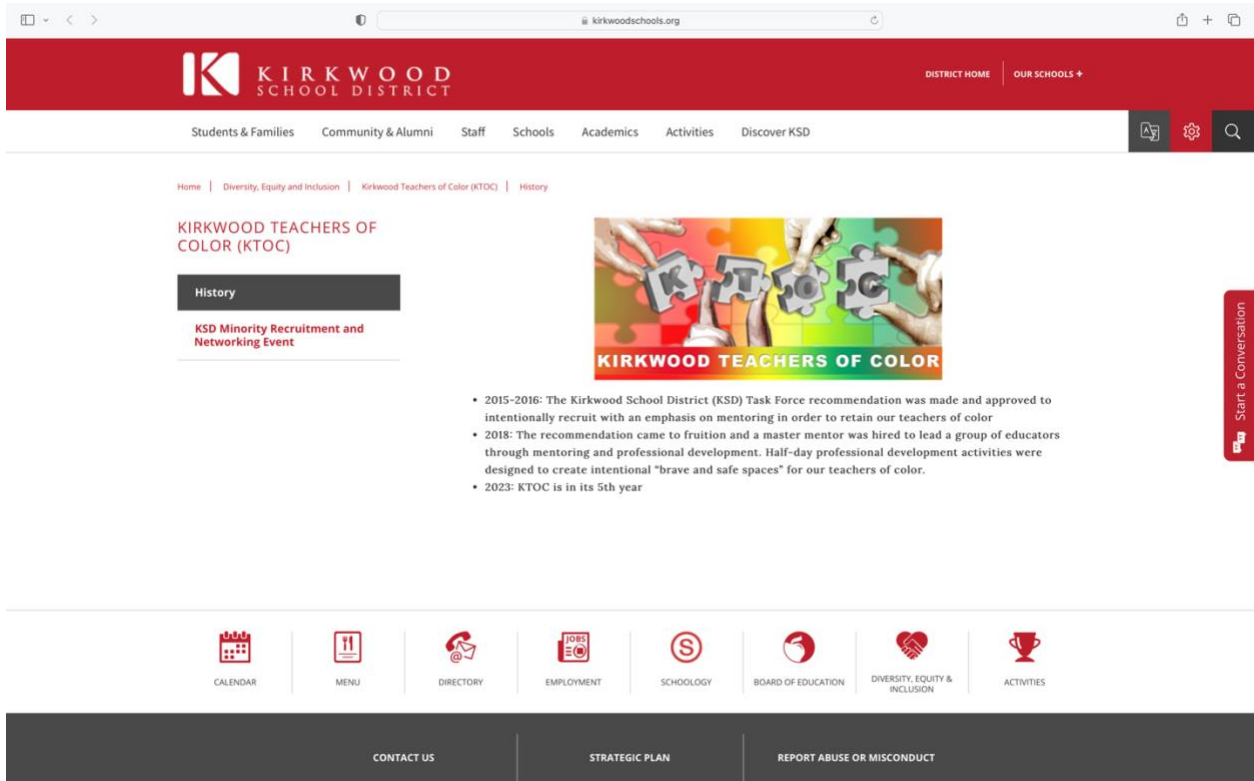
A handwritten signature in black ink that reads "Caroline Moore". The signature is written in a cursive style with a large initial "C" and a distinct "M".

Caroline Moore  
Vice President  
Parents Defending Education

Enc. Exhibits A-C



## Exhibit A




The screenshot shows a web browser window with the URL [kirkwoodschoo.org](http://kirkwoodschoo.org). The website header is red and features the Kirkwood School District logo and navigation links: DISTRICT HOME and OUR SCHOOLS +. Below the header is a secondary navigation bar with links: Students & Families, Community & Alumni, Staff, Schools, Academics, Activities, and Discover KSD. The main content area is titled "KIRKWOOD TEACHERS OF COLOR (KTOC)" and includes a "History" section with a sub-heading "KSD Minority Recruitment and Networking Event". To the right of the text is an image of hands holding puzzle pieces that spell out "KTOC". Below the image is a list of bullet points detailing the organization's history from 2015-2016 to 2023. At the bottom of the page is a dark grey footer with icons for CALENDAR, MENU, DIRECTORY, EMPLOYMENT, SCHOOLOGY, BOARD OF EDUCATION, DIVERSITY, EQUITY & INCLUSION, and ACTIVITIES. A vertical red button on the right side of the page says "Start a Conversation".

Home | Diversity, Equity and Inclusion | Kirkwood Teachers of Color (KTOC) | History

## KIRKWOOD TEACHERS OF COLOR (KTOC)

### History

#### KSD Minority Recruitment and Networking Event



- 2015-2016: The Kirkwood School District (KSD) Task Force recommendation was made and approved to intentionally recruit with an emphasis on mentoring in order to retain our teachers of color
- 2018: The recommendation came to fruition and a master mentor was hired to lead a group of educators through mentoring and professional development. Half-day professional development activities were designed to create intentional "brave and safe spaces" for our teachers of color.
- 2023: KTOC is in its 5th year

CALENDAR | MENU | DIRECTORY | EMPLOYMENT | SCHOOLOGY | BOARD OF EDUCATION | DIVERSITY, EQUITY & INCLUSION | ACTIVITIES

CONTACT US | STRATEGIC PLAN | REPORT ABUSE OR MISCONDUCT

Start a Conversation



## Exhibit B



Home | Diversity, Equity and Inclusion | Kirkwood Teachers of Color (KTOC) | KSD Minority Recruitment and Networking Event

### KIRKWOOD TEACHERS OF COLOR (KTOC)

#### History

KSD Minority Recruitment and Networking Event

Start a Conversation



CALENDAR



MENU



DIRECTORY



EMPLOYMENT



SCHOOLLOGY



BOARD OF EDUCATION



DIVERSITY, EQUITY & INCLUSION



ACTIVITIES

CONTACT US

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## Exhibit C

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# Kirkwood Staff of Color Newsletter

Building the Capacity for Belonging

## Welcome!

Welcome to the second year of the Kirkwood Teachers of Color Newsletter! I would like to welcome all staff of color as well all administrators to this space as I have expanded the newsletter to include not just our teachers of color, but ALL staff of color. One other change this year is that you will be receiving a quarterly newsletter instead of monthly. With that said, I realize how busy everyone is and how your inboxes are inundated with lots of correspondences.



Last month we celebrated National Hispanic Heritage month, recognizing the contributions, and achievements of Hispanics in the United States. Following this amazing month, on October 9, we honored Indigenous peoples in the United States to commemorate their histories and culture. By celebrating Indigenous Peoples' Day, we collectively denounce Columbus's crimes as crimes against humanity,"

Additionally, on November 26, we will observe National Native American Heritage Day to honor American Indians and their rich culture, accomplishments and contributions. Without a doubt, the importance of these cultural celebrations as well as many others still yet to celebrate, fosters respect and appreciation for all cultures. With this in mind, we acknowledge our differences and common interests that help us bond and educate us. Differing from, the previous notion of the meaning of the phrase "melting pot", or "assimilation" that does not allow for individual cultural traditions and forces an oppressive structure to continue to exist.

Based on the recent U.S. Census results, "in 2045, non-Hispanic white people will fall below half as a share of the overall U.S. population. (["U.S. population"](#)) If this assertion is true, it is extremely important for educators to practice culturally relevant pedagogy. This can provide a stronger understanding and appreciation of ethnicity and race as well as empower our students to become thoughtful and empathetic changemakers. I hope you all enjoy this first quarter edition of the KTOC newsletter and wish you all an amazing autumn season!

-Roberta McWoods KTOC Master Mentor  
[Roberta.McWoods@kirkwoodschoools.org](mailto:Roberta.McWoods@kirkwoodschoools.org)



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A Message from Dr. David Ulrich



I hope your school year is off to a great start! I've had the opportunity to spend time in several classrooms already this year and I genuinely enjoy getting to see our students engaged in learning. I appreciate the welcome I consistently receive anytime I pop into a class to say hello. As I shared at the KTOC welcome lunch, we are increasing our focus on ways to retain our teachers of color by sharing some specific measures. This includes:

- Committing to sending all of our administrative leaders to the Leadership and Racism Institute. I attended the 4-day institute this summer with my team and found it to be valuable and impactful. Before the 2025-26 school year, every administrator in the district will have had this experience.
• All of our building administrators will meet with our HR and DEI teams to discuss hiring practices. These meetings will be held on a quarterly basis and the first ones have already taken place. They are specifically focused on confronting racial bias in hiring culture and how we can work together to support organizational change.
• Our strategic plan includes specific and measurable objectives related to increasing belonging among teachers and staff, and we are specifically focused on this effort for teachers and staff of color. That includes an intentional focus on affinity group connections within our schools and ensuring there are site-based plans with specific strategies to recruit and retain minority employment groups.
As always, I want to thank you for your commitment to our students. Thanks to your efforts, our Kirkwood kids are engaged, empowered and ready for success.
-Dave

Kirkwood Teachers of Color Purpose

Kirkwood Teachers Of Color (KTOC) participates in experiences that combine culturally responsive mentoring and coaching with professional development and leadership opportunities relevant to their needs. We intentionally support teachers of color relationships with building administration so that as a team, they can foster and cultivate a school environment that will allow teachers of color to thrive. Input from teacher surveys, interviews, and mentoring are used to facilitate and design a professional development program. These experiences create and connect teachers of color to one





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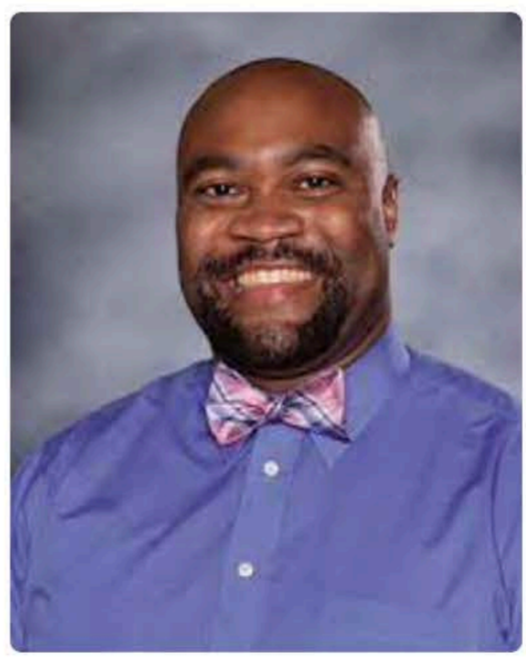
Kirkwood Teachers Of Color combine culturally responsive mentoring and coaching with professional development and leadership opportunities relevant to their needs. We intentionally support teachers of color relationships with building administration so that as a team, they can foster and cultivate a school environment that will allow teachers of color to thrive. Input from teacher surveys, interviews, and mentoring are used to facilitate and design a professional development program. These experiences create and connect teachers of color to one another, with their building administrators, colleagues, and other support and growth opportunities.



**Kirkwood School District Foundation / KTOC Scholarship**  
 In 2021, KTOC established the Kirkwood Teachers of Color Scholarship. This is awarded annually to a Kirkwood High School senior who identifies as Black, Indigenous, or a student of color (BIPOC). This senior must possess a 2.5 or higher GPA and plan to attend a two or four-year academic institution; this will include vocational, technical, or trade schools.

[kirkwoodschoools.org](http://kirkwoodschoools.org)

**A word from Dr. Jeremy Mapp-Executive Director of Diversity , Equity and Inclusion**



Ubuntu  
 Ubuntu in short means I am because we are. This has been something I've lived by since the first time I heard it and it solidifies itself as the right thing for me everyday of my life. I will also remind you of the words of Dr. Asa Hilliard, to elicit the genius in each of our students: treat them like human beings and love them. As we work to do this for our students, I will remind you that it is the right way to treat one another as well. Unfortunately, I've spent more time than usual this fall at or viewing celebrations of life throughout our communities of color. I'm grateful for the life and LEGACY of two great individuals. Dr. Kashina Bell (a dynamic educational leader) and Rev. Charles Shelton (a true change agent for young black men in the city of St. Louis). Unfortunately I'm sure many of you have people of your own to add to this list. I don't say it expecting or asking for sympathy. Instead asking you to take care of yourself and others, particularly people of color. Unfortunately society causes us to give of ourselves to different degree. As you do so (and I'm not telling you it's wrong to), remember to take care of you. Tomorrow is not promised. Tell people you love them today and everyday while you can. I'll remind you of the words I used in my newsletter segment in December, let's commit to care, change, and collaboration as we continue through this year. "Leave this place better than you found it" - Dr. Kashina Bell

UBUNTU, KTOC, I love you all!  
 Dr. Jeremy Mapp



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### OCTOBER IS NATIONAL PRINCIPALS MONTH

Principals are honored this month across the nation for their dedication and support to students, parents and teachers. We would like to recognize our KTOC Principals and Assistant Principals for all their hard work! (top left to right) Dr. Angeline ONealHogrefe, Principal Robinson Elementary, Amber Spencer, Asst. Principal North Glendale Elementary. Dr. Joshua Flores, Asst. Principal KHS, (bottom left) Dr. Courtney Ford, Asst. Principal KHS, (bottom right) Dr. Shiree Yeggins, Asst. Principal KHS.



### Affinity Groups

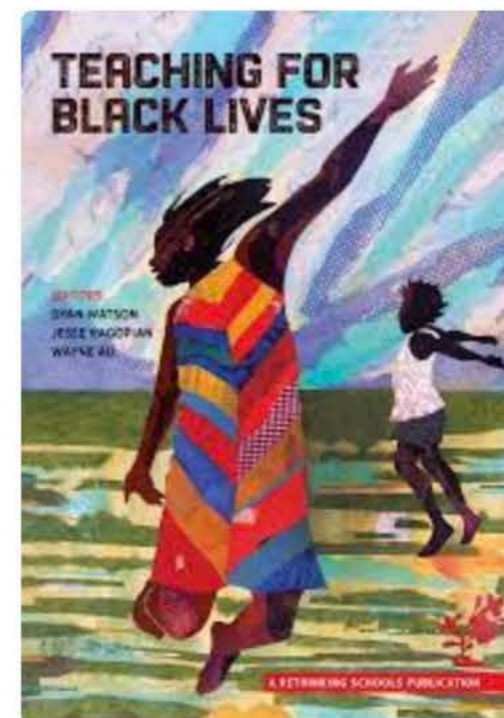
Affinity groups have been a part of schools across the nation and Kirkwood is no exception. Affinity groups' promote inclusion, diversity as well as linking groups together for a common purpose. The groups' purpose is to provide a safe or healing space to empower individuals in the group to thrive.



NKMS held a parent information meeting that allowed parents of students in the Affinity groups to learn the benefits of belonging to an Affinity group. If you have an Affinity group activity and wish to share, please contact Roberta McWoods, so that your group's activities can be celebrated.

### Teaching for Black Lives Book Study

This is the second year for the "Teaching for Black Lives" Book study that was introduced to the Kirkwood School District by Linnet Early, a Compass teacher at NKMS through a grant. This is a national book study open to staff in the KSD. The Study will meet a total of five times this year in person or via zoom. We will begin or in person gathering for the book study next month. This book study will be led by Dr. Jeremy Mapp and Roberta McWoods. The next study will be held on November 9, from 4pm-5pm. The topics for discussion will be the following:



- \*Space for Young Black Women
- \*Black Students Lives Matter-Building the school to justice pipeline
- \*Two Sets of Notes

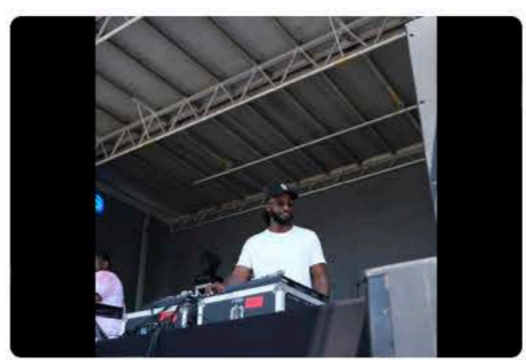
If you are interested in joining this book study, please email Dr. Jeremy Mapp.

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### Hip Hop Celebrates its 50th Anniversary

Hip Hop is a global phenomenon and it is being celebrated all over the world for its 50th birthday! This subculture and art movement began in Bronx, New York and through time its effects have spanned through the political discourse and our ever changing economy. Although its lyrics have been known to have both negative as well as positive effects on the youth, evidence has shown that many youth have learned to express themselves and share their feelings through its style originating from African American and Hispanic origin. Hip Hop is being honored all over the world with concerts, exhibits, festivals and many more celebrations. The St. Louis Art Museum is one such venue and will continue to celebrate until January 1, 2024. On August 19, 2023, Vincent Thomas , a Technology Specialist at Kirkwood High School was a featured DJ for one of the celebrations at the St. Louis Art Museum.



**The Culture: Hip-Hop and Contemporary Art in the 21st Century**  
 The multidisciplinary and multimedia exhibition examines the resounding impact of hip hop on contemporary art and culture, including its unique contributions to innovations in music, visual and performing arts, fashion, and technology.

[slam.org](https://slam.org)



**'The Culture' opens Aug. 19 at Saint Louis Art Museum**  
 Multimedia exhibition celebrates the 50th anniversary of hip hop.

[slam.org](https://slam.org)

Congratulations to Nelson Taylor as the new Head Boy's Basketball coach for Kirkwood High School. For the last 13 years, Taylor has been an instrumental part of the KHS boys basketball program, serving as Freshman Head Coach and JV Head Coach. Most recently, he served as Varsity Assistant coach on last year's 24-3 District Runner up team. In addition to coaching, Nelson serves as a grade-level counselor at Nipher Middle School, a role he has fulfilled for the past eight years.



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### SAVE-THE-DATE- 5th Black Educators Symposium



The 5th Annual State of Black Educators Symposium is a MUST attend event co-founded by Dr. Howard Fields and Dr. Darryl S. Diggs, Jr., Asst. Director of Equity for Teaching & Learning for the Special School District of St. Louis County. It has now become a premier regional event, attracting educators from all over the world. This year, it will be held on February 23, 2023 at the University of Missouri-St. Louis. Look for more details in the coming months. Symposium tickets are \$25.00, or you may choose to bundle and get Professional Learning & Symposium Tickets for \$150.00. There are also Add-ons that include preferred seating and VIP & Hors d'oeuvres. Additional information can be found on the EVENTBRITE app. Stay tuned to twitter @BMESTL for additional updates or subscribe and join the SBE movement and get your tickets today <https://sbe24.com/>. If anyone is interested in getting funding to attend this event, there is PDC money as well as DEI funding for your registration. Please email Dr. Liz Grand for PDC money or Dr. Jeremy Mapp for DEI funds.



**SBE24**  
[sbe24.com](https://sbe24.com)

### Dr. Fields celebrates book signing at Barnes & Noble for his second book:

Several Kirkwood staff attended Dr. Fields, Asst. Superintendent of Human Resources, book signing in August for his book, *"Transfers & Open Enrollment: The Denigration of Black School Communities (2023)"* at Barnes & Noble in Ladue. Dr. Fields' first book, *"How to Achieve Educational Equity"*, was published in 2021. He is the co-founder of Black Males in Education St. Louis (BMESTL), [EduOpenings.com](https://EduOpenings.com) and [The State of Black Educators Symposium](https://TheStateofBlackEducatorsSymposium.com). Dr. Fields believes that the student transfer program had significant emotional, social, and academic impacts on students and families. He asserts that school rankings often just reveal existing segregation and inequities rather than indicating school effectiveness. He revealed that "top schools" tend to have lower poverty rates and smaller shares of black students and that there are concerning racial disparities in accreditation status across Missouri. Dr. Fields believes to truly address inequities, we need bold action like exploring school district mergers rather than enacting modest reforms that lead to little progress. To learn more you can purchase a copy from Barnes & Noble or through Amazon.

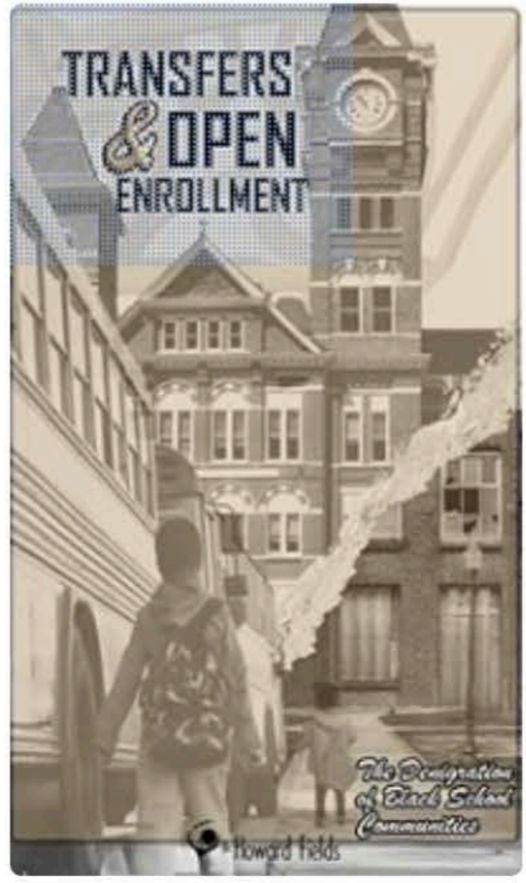




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### Dr. Darryl Diggs featured speaker for KTOC Professional Development



The first KTOC professional development for this school year will be on October 25, 2023 from 8:30-11:30 at the Kirkwood Community center. Darryl S. Diggs, Jr. will be the featured speaker. Dr. Diggs is an experienced educational leader dedicated to equity and student achievement. He holds an Ed.D. in Educational Leadership and has served as a middle and high school administrator. Dr. Diggs is passionate about inclusion, diversity, and mentorship. He co-founded Black Male Educators of St. Louis to advocate for and support educators of color. Dr. Diggs is also co-founder of Educational Conduits LLC and EduOpenings, a platform connecting job seekers with educational organizations. Currently, he is Director of Equity for Teaching and Learning at Special School District of St. Louis County. Dr. Diggs is a presenter at national conferences and author focused on connecting perspective, lived experiences, and voice. His mission is to plant seeds of growth and change to help each student thrive.

Dr. Diggs will explore how we often approach relationships, leadership, and service with particular mindsets that ultimately limit equity and compassion. Through compelling examples, He will thoughtfully challenge educators to move beyond transactional mindsets that benefit the self, and instead lead with unconditional empathy that recognizes the intrinsic worth in each person. This conversation will allow for dismantling restrictive expectations and enable us to give more freely of ourselves to transform education, organizations, and society to be more just, humane, and nurturing for all. KTOC will leave reflecting on how they can reconsider deep-seated mentalities and structures to show up with unconditional love that seeds sustainable change.

### St. Louis County Library Foundation Author Event

#### Adia Harvey Wingfield

While organizations make internal and public pledges to honor and achieve "diversity," inequities persist through what sociologist and Washington University Vice Dean of Faculty Development and Diversity Adia Harvey Wingfield calls the "gray areas:" the relationships, networks, and cultural dynamics that are now more important than ever. Wingfield has spent a decade examining inequality in the workplace, interviewing over two hundred Black subjects across professions about their work lives. In this important antiracist work, Wingfield chronicles their experiences and blends them with history and surprising data that starkly show how old models of work are outdated and detrimental.



Doors open at 6:30 p.m.

Books available for purchase from [Left Bank Books](#)

NOV 27

Monday, November 27, 2023

7:00 p.m.



## Summer gathering with KTOC & Educators of Color around the St. Louis region

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### KTOC PROFESSIONAL DAYS



Please mark the following days in your calendar of professional days that may interest you.

November 9, 2023 4pm-5pm Teaching for Black Lives Book Study (see Dr. Jeremy Mapp for details)

January 3, 2024 KSD District-wide Staff Development (there will be a morning session specifically for ALL staff of color to attend)

February 16, 2024 District-wide Staff Wellness day (there will be specifically for ALL staff of color to attend)

February 21, 2024 8:30-11:30 Kirkwood Teachers of Color at the 9490 Watson Rd, Crestwood Woodard Building

February 23, 2024 5th Annual State of Black Educators Symposium University of Missouri-St. Louis (see Dr. Mapp or apply for PDC funds for registration)

February 24, 2024 Collaborative Hiring & Networking Event (Kirkwood, Webster, Lindbergh, MRH) at Kirkwood High School (more info forthcoming)

April 2, 2024 8:30-3:00 KTOC PD (8:30-11:30) Regional Teachers of Color 12-3pm. place TBD

### Join Kirkwood Teachers of Color Facebook page

The Kirkwood Teachers of Color Facebook page has been active for



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### Join Kirkwood Teachers of Color Facebook page

The Kirkwood Teachers of Color Facebook page has been active for the last six years. It is a private page for Kirkwood Staff of Color. If you are interested in becoming a member, please contact Roberta McWoods to receive an invite. This FACEBOOK group celebrates people of color in Kirkwood and the world around us. This page serves to connect people of color with other people of color. It is designed to be a social media Affinity group to share celebrations, news and information with people of color.

