



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS
ADMINISTRATIVE COMPLAINT

March 5, 2025

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 Charleston County Public School District in Charleston, South Carolina 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. Charleston County School District has affinity group programming that is not open to all. The District allows only some teachers to participate in affinity group programming and participation is based on their race. Attached to this complaint is evidence in the form of the District's "Intercultural Development" webpage, which specifically outlines attendees in the affinity group (Exhibit A)¹.

The District's Intercultural Development program purportedly "exists to [help] school leaders and staff develop their cultural competency through building awareness, gaining knowledge, developing skills, and improving attitudes around cultural differences" (Ex. A at 2). However, descriptions of individual affinity groups in the District appear to exclude individuals based on their race (Ex. A at 2).

For instance, the "Black Educator Affinity Group" describes itself as an affinity group "for black educators" (Ex. A at 3). The group "connect[s]," "support[s]," and "celebrate[s]" black educators

¹ "Intercultural Development," Charleston County School District, Accessed February 5, 2025, <https://www.ccsdschools.com/divisions/deputy-superintendent/chief-academic-office/intercultural-development>



specifically (Ex. A at 2) and intends to create a “community built on [their] shared experiences” (Ex. A at 2).

Meanwhile, the “Hispanic-Latino Affinity Group” appears to prioritize recruitment and career acceleration for teachers based on their “Hispanic-Latino” descent (Ex. A at 4). Specifically, the group promises to:

- “Create a Hispanic-Latino Affinity committee to support recruitment, retention and innovation among Charleston County School District Hispanic-Latino employees”
- “Support Hispanic-Latino staff in Charleston County School District with professional development and career advancement opportunities”
- “Make recommendations to Charleston County School District on how to improve the outcomes for Hispanic-Latino staff, family members, and students”
- “Create a work-based network to support Hispanic-Latino Charleston County School District employees”

The “Hispanic Latino Affinity Group” and the “Black Educator Affinity Group” offer additional benefits that are not accessible to all. Both affinity groups encourage hiring employees based on race and offer professional development opportunities exclusively for black and Hispanic-Latino employees.

Furthermore, while other Districts ensures affinity group bodies are accessible to all teachers, Charleston County School District evades responsibility for the practices of its affinity groups, stating that “each affinity group establishes its own mission and goal” (Ex. A at 2).

As the Department of Education is no doubt aware, discrimination on the basis of race raises concerns that Charleston County 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). Courts have likewise suggested that racially exclusive affinity groups and racially exclusive employee training opportunities run afoul of the Equal Protection Clause. *See e.g., Diemert v. Seattle*, 689 F. Supp. 3d 956, 964-65 (W.D. Wash. 2023); *Deemar v. Bd. of Educ. of City of Evanston/Skokie*, No. 21-cv-03466, 2024 WL 3757169, at *9 (N.D. Ill. Aug. 9).



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,

Nicole Neily
President
Parents Defending Education

Enc. Exhibit A



Exhibit A

- About Us +
- Departments
- Divisions -
 - Communications
 - Deputy Superintendent
 - Office of Accountability
 - Chief Academic Office
 - Department of Exceptional Children
 - Intercultural Development
 - Department of Multilingual Services
 - Student Support Services
 - Teaching and

Intercultural Development

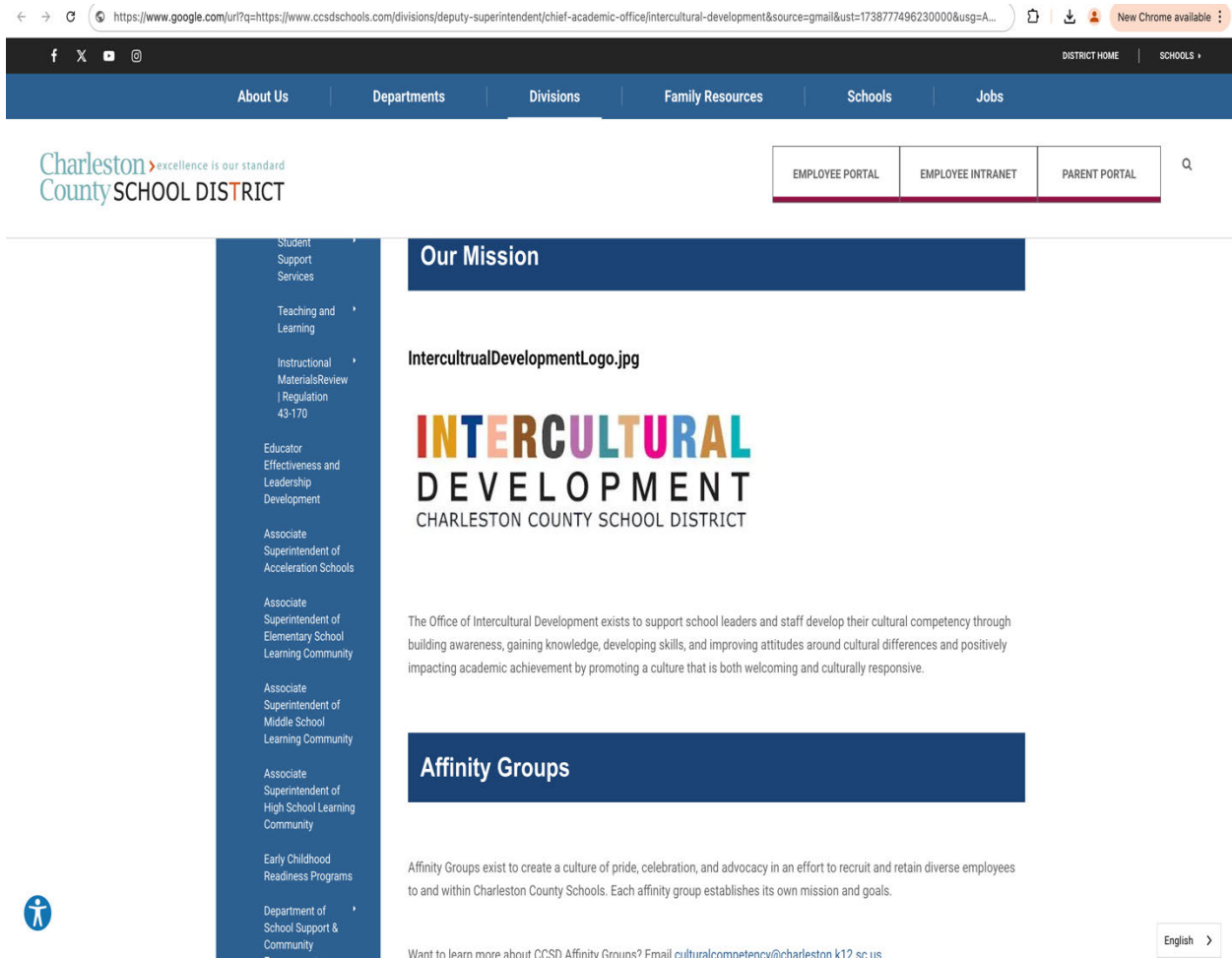


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Our Mission





The screenshot shows a web browser window with the URL: <https://www.google.com/url?q=https://www.ccsdschools.com/divisions/deputy-superintendent/chief-academic-office/intercultural-development&source=gmail&ust=17387749623000&usq=A...>

The website header includes navigation links: About Us, Departments, Divisions, Family Resources, Schools, and Jobs. The Charleston County School District logo is on the left, and a search bar with 'EMPLOYEE PORTAL', 'EMPLOYEE INTRANET', and 'PARENT PORTAL' options is on the right.

The main content area features a blue sidebar with a list of roles: Student Support Services, Teaching and Learning, Instructional Materials Review | Regulation 43-170, Educator Effectiveness and Leadership Development, Associate Superintendent of Acceleration Schools, Associate Superintendent of Elementary School Learning Community, Associate Superintendent of Middle School Learning Community, Associate Superintendent of High School Learning Community, Early Childhood Readiness Programs, and Department of School Support & Community.

The main content area has a blue header 'Our Mission' and a sub-header 'InterculturalDevelopmentLogo.jpg'. Below this is the 'INTERCULTURAL DEVELOPMENT' logo and the text 'CHARLESTON COUNTY SCHOOL DISTRICT'. A paragraph describes the office's mission: 'The Office of Intercultural Development exists to support school leaders and staff develop their cultural competency through building awareness, gaining knowledge, developing skills, and improving attitudes around cultural differences and positively impacting academic achievement by promoting a culture that is both welcoming and culturally responsive.'

Below this is another blue header 'Affinity Groups' and a paragraph: 'Affinity Groups exist to create a culture of pride, celebration, and advocacy in an effort to recruit and retain diverse employees to and within Charleston County Schools. Each affinity group establishes its own mission and goals.'

At the bottom, there is a link: 'Want to learn more about CCSD Affinity Groups? Email culturalcompetency@charleston.k12.sc.us' and a language selection dropdown set to 'English'.

- Learning Community
- Associate Superintendent of High School Learning Community
- Early Childhood Readiness Programs
- Department of School Support & Community Engagement
- Financial Services
- Human Resources
- Legal Services
- Operations
- Strategy, Partnerships, and Planning
- Family Resources
- Schools +
- Jobs +

Affinity Groups

Affinity Groups exist to create a culture of pride, celebration, and advocacy in an effort to recruit and retain diverse employees to and within Charleston County Schools. Each affinity group establishes its own mission and goals.

Want to learn more about CCSD Affinity Groups? Email culturalcompetency@charleston.k12.sc.us

Black Educator Affinity Group

Established in 2021

~ Mission ~
 The CCSD Black Educators Affinity Group will be a space for black educators to connect to one another, support one another, and celebrate one another in a safe space.

Hispanic Latino Affinity Group


Established in the 2022-2023 academic year, the CCSD Hispanic- Latino Affinity Group created goals to advocate for district resources to support in the following:



English >

[f](#) [X](#) [v](#) [@](#)
DISTRICT HOME | SCHOOLS ▾

[About Us](#) | [Departments](#) | [Divisions](#) | [Family Resources](#) | [Schools](#) | [Jobs](#)



excellence is our standard
SCHOOL DISTRICT

EMPLOYEE PORTAL	EMPLOYEE INTRANET	PARENT PORTAL
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Planning

Family Resources

Schools +

Jobs +


~ Mission ~


The CCSD Black Educators Affinity Group will be a space for black educators to connect to one another, support one another, and celebrate one another in a safe space.

Hispanic Latino Affinity Group

Established in the 2022-2023 academic year, the CCSD Hispanic- Latino Affinity Group created goals to advocate for district resources to support in the following:

- Goal #1 Create a Hispanic-Latino Affinity committee to support recruitment, retention, and innovation among CCSD Hispanic-Latino employees
- Goal #2 Support Hispanic-Latino staff in CCSD with professional development and career advancement opportunities
- Goal #3 Make recommendations to CCSD on how to improve the outcomes for Hispanic-Latino staff members, families, and students
- Goal #4 Create a work-based network to support Hispanic-Latino CCSD employees





Charleston County SCHOOL DISTRICT

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English >



Ex. A at 4