

1. Name of person filing this complaint:

Last Name: (b)(6); (b)(7)(A); (b)(7)(C) First Name: (b)(6); (b)(7)(A); (b)(7)(C) Address: (b)(6); (b)(7)(A); (b)(7)(C)
City: (b)(6); (b)(7)(A); (b)(7)(C) State: (b)(6); (b)(7)(A) Zip Code: (b)(6); (b)(7)(A); (b)(7)(C)
Primary number: (b)(6); (b)(7)(A); (b)(7)(C) Alternate number: (b)(6); (b)(7)(A); (b)(7)(C)
Email Address: (b)(6); (b)(7)(A); (b)(7)(C)

2. Name of person discriminated against (if **other** than person filing). If the person discriminated against is age 18 or older, we will need that person's signature on this complaint form and the consent/release form before we can proceed with this complaint. If the person is a minor, and you do not have the legal authority to file a complaint on the student's behalf, the signature of the child's parent, guardian, or other authorized legal representative is required.

Last Name: (b)(6); (b)(7)(A); (b)(7)(C) First Name: (b)(6); (b)(7)(A); (b)(7)(C) Address: (b)(6); (b)(7)(A); (b)(7)(C)
City: (b)(6); (b)(7)(A); (b)(7)(C) State: (b)(6); (b)(7)(A) Zip Code: (b)(6); (b)(7)(A); (b)(7)(C)
Primary Phone: (b)(6); (b)(7)(A); (b)(7)(C) Alternative Phone: (b)(6); (b)(7)(A); (b)(7)(C)
Email Address: (b)(6); (b)(7)(A); (b)(7)(C)

3. OCR investigates discrimination complaints against schools, colleges and universities, institutions, and agencies which receive funds or other forms of financial assistance from the U.S. Department of Education and against public educational entities and libraries that are subject to the provisions of Title II of the Americans with Disabilities Act. Please identify the institution or agency that engaged in the alleged discrimination. If we cannot accept your complaint, we will attempt to refer it to the appropriate agency and will notify you of that fact.

Name of Institution: (b)(6); (b)(7)(A); (b)(7)(C) HILLSBOROUGH COUNTY PUBLIC SCHOOLS
Address: (b)(6); (b)(7)(A); (b)(7)(C)
City: (b)(6); (b)(7)(A); (b)(7)(C) State: (b)(6); (b)(7)(A) Zip Code: (b)(6); (b)(7)(A); (b)(7)(C)
Department/School: **TEACHERS & ADMINISTRATION**

4. The regulations OCR enforces prohibit discrimination on the basis of race, color, national origin, sex, disability, or age. The regulations also ban retaliation against persons who assert the right to be free from discrimination. Please note the following:

- Discrimination based on race, color, and national origin includes failure to provide meaningful access to English learners and limited English proficient parents and guardians, as well as discrimination based on shared ancestry or ethnic characteristics or based on citizenship in a country with a dominant religion.

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- Discrimination based on sex includes discrimination based on sex stereotypes, pregnancy or related conditions, sexual orientation, and gender identity, as well as rules about parental, family, or marital status that treat people differently based on sex.
- Discrimination based on disability includes discrimination against individuals who have a physical or mental impairment that substantially limits a major life activity, as well as individuals who have a record of or are regarded as having a disability.
- Discrimination based on age does not limit protection against discrimination to a certain age group (e.g., people over 40); however, there are a variety of exceptions to the relevant Federal law that may permit age to be taken into account.
- Retaliation refers to actions taken for the purpose of interfering with any rights under the laws enforced by OCR, or because you made a complaint, testified, or participated in any manner in an OCR proceeding.

Please indicate the basis of your complaint:

Discrimination **based on race (specify)**

SEE ATTACHED WORD DOCUMENT

discrimination
racial profiling
violation of rights

Discrimination **based on color (specify)**

Discrimination **based on national origin (specify)**

(b)(6); (b)(7)(A); (b)(7)(C)

RACIAL PROFILING

(b)(6); (b)(7)(A); (b)(7)(C)

Discrimination **based on sex (specify)**

Discrimination **based on disability (specify)**

Discrimination **based on age (specify)**

Retaliation because you filed a complaint or otherwise asserted rights under laws enforced by OCR (specify)

Violation of the Boy Scouts of America Equal Access Act (specify)

5. Please describe each alleged discriminatory act. For each action, please include the date(s) the discriminatory act occurred, the name(s) of each person(s) involved and, why you believe the discrimination was because of race, disability, age, sex, etc. Also please provide the names of any person(s) who was present and witnessed the act(s) of discrimination.

SEVERAL TEACHERS WERE (b)(6); (b)(7)(A); (b)(7)(C)
(b)(6); (b)(7)(A); (b)(7)(C) THESE
TEACHERS WERE (b)(6); (b)(7)(A); (b)(7)(C)
(b)(6); (b)(7)(A); (b)(7)(C) THEY WERE (b)(6); (b)(7)(A); (b)(7)(C)
(b)(6); (b)(7)(A); (b)(7)(C)
(b)(6); (b)(7)(A); (b)(7)(C) THIS IS A COMPLETE VIOLATION OF
HIS RIGHTS.

(b)(6); (b)(7)(A); (b)(7)(C) teacher, (b)(6); and the substitute teacher
that day for (b)(6); (b)(7)(A); (b)(7)(C) on (b)(6); (b)(7)(A);

6. Do you have documents or written information that you think will help us to understand your complaint?

- No
 Yes

If yes, please describe the documents or written information you have.

text message from the Principal (b)(6); (b)(7)(A); (b)(7)(C) showing a

(b)(6); (b)(7)(A); (b)(7)(C)

If OCR investigates your complaint, we may ask you to provide us the items you describe above.

7. What is the most recent date you were discriminated against?

(b)(6); (b)(7)(A); (b)(7)(C)

Date: _____

8. If this date is **more than 180 days ago**, you may request a waiver of the filing requirement.

I am requesting a waiver of the 180-day time frame for filing this complaint.

Please explain why did not file your complaint within 180 days.

9. Have you complained about the allegations that you raise in this complaint to your school, institution, or another organization or agency?

YES NO

If yes, have you complained about the allegations that you raise in this complaint by:

filing an internal complaint or appeal with your school or institution?

participating in your school or institution's grievance procedures?

participating in a due process hearing either at your school or institution, or through another organization or government agency?

If you answered **yes to any of the above questions**, please describe the allegations that you raised in an internal complaint or appeal, through your school or institution’s grievance procedures, or in a due process hearing, identify the date you complained about the allegations and where you made the complaint, and tell us the status of the complaint, appeal, grievance procedures, or due process hearing. If possible, please provide us with a copy of your complaint or grievance or appeal or due process request and, if **completed**, the decision in the matter.

(b)(6); (b)(7)(A); (b)(7)(C) Reached out to Principal (b)(6); (b)(7)(A); (b)(7)(C) spoke to (b)(6); (b)(7)(A); (b)(7)(C) again spoke to regional superintendent Gary Brady

10. If the allegations contained in this complaint have been filed with any other Federal, state or local civil rights agency, or any Federal or state court, please give details and dates. We will determine whether it is appropriate to investigate your complaint based upon the specific allegations of your complaint and the actions taken by the other agency or court.

Agency or Court: _____

Date Filed: _____

Case Number or Reference: _____

Results of Investigation/Findings by Agency or Court:

11. You do not need to have a lawyer to file a complaint with OCR; however, if you do have a lawyer, OCR staff are required to communicate directly with your lawyer. If you have a lawyer representing you in this matter, please provide the lawyer’s contact information.

Last Name: _____ **First Name:** _____

Telephone: _____ **Email:** _____

12. If we cannot reach you at your home or work, we would like to have the name and telephone number of another person (relative or friend) who knows where and when we can reach you. This information is **not required**, but it will be helpful to us.

Last Name: (b)(6); (b)(7)(A); (b)(7)(C) **First Name:** (b)(6); (b)(7)(A); (b)(7)(C)

Telephone: (b)(6); (b)(7)(A); (b)(7)(C) **Email:** (b)(6); (b)(7)(A); (b)(7)(C)

13. **Option to Participate in OCR's Early Mediation Process**

OCR provides an early mediation process as an opportunity for you and the recipient institution to voluntarily resolve your complaint soon after you file it with OCR.

Mediation is a form of complaint resolution that OCR offers as an alternative to its investigative process. Mediation is an informal process in which a staff member from OCR who is trained in mediation assists the parties to reach a negotiated resolution of the complaint. The mediator does not decide who is right or wrong and does not have the authority to impose a settlement on the parties. Instead, the mediator helps the parties to find a mutually acceptable resolution to your complaint. Mediation is a strictly voluntary process. If either party does not want to participate in mediation, OCR will address the complaint through its regular processes.

If you are interested in participating in the early mediation process, you must check the box below. If you indicate your interest in early mediation by checking the box below **and** OCR determines that your complaint is appropriate for this process, OCR will contact you and the recipient institution and offer this resolution option. If the recipient agrees to participate in early mediation, OCR will work with you and the recipient to achieve a mutually agreeable resolution of your complaint. If the recipient does not wish to participate in early mediation, OCR will proceed with its regular processing of your complaint. ***If you do not indicate your interest in early mediation by checking the box below, early mediation will not be offered to you and OCR will proceed with its regular processing of your complaint.***

I am interested in participating in early mediation (Please check box):

NOTE: You **MUST** submit a signed Consent Form to OCR if you want to participate in early mediation.

14. What would you like the institution to do as a result of your complaint — what remedy are you seeking?

My child would like to
I am seeking compensation from the racial profiling,
 School and their staff.

This all took place on on accusing my son as a with no explanation or EVIDENCE to me. Everything is based on rumor or heresay.

15. We cannot accept your complaint if it has not been signed. Please sign and date your complaint below.

10/19/2023

(Date)

(b)(6); (b)(7)(A); (b)(7)(C)

(Date)

(b)(6); (b)(7)(A); (b)(7)(C)

Please mail or email the completed and signed Discrimination Complaint Form, your signed consent form and copies of any written material or other documents you believe will help OCR understand your complaint to the OCR Enforcement Office responsible for the state where the institution or entity about which you are complaining is located. You can locate the mailing information for the correct enforcement office on OCR’s website at <https://ocr cas.ed.gov/contact-ocr>.



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION IV

61 FORSYTH ST., SOUTHWEST, SUITE 19T10
ATLANTA, GA 30303-8927

REGION IV
ALABAMA
FLORIDA
GEORGIA
TENNESSEE

November 21, 2023

VIA EMAIL ONLY: Van.Ayres@hcps.net

Van Ayres
Superintendent
Hillsborough County Public Schools
901 East Kennedy Boulevard
Tampa, Florida 33602

Re: OCR Complaint No. 04-24-1042

Dear Superintendent Ayres:

This letter is to notify you that the U.S. Department of Education, Office for Civil Rights (OCR), is opening for investigation the above-referenced complaint filed against the Hillsborough County Public Schools (District). The complaint alleges that in [REDACTED] (School) staff discriminated against a student (Student) based on his national origin [REDACTED] [REDACTED] when they [REDACTED] in discussions with staff and students and [REDACTED].

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. Section 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, including shared ancestry, in any program or activity receiving Federal financial assistance from the U.S. Department of Education. Because the District receives Federal financial assistance from the U.S. Department of Education, OCR has jurisdiction over it pursuant to Title VI.

OCR will investigate whether the District discriminated against the Student based on his national origin [REDACTED] in violation of Title VI.

Please note that opening an investigation in no way implies that OCR has made a determination on the merits of the complaint. During the investigation, OCR is a neutral factfinder, collecting and analyzing relevant evidence from the Complainant, the District, and other sources, as appropriate. OCR will conduct its investigation in accordance with the provisions of the *Case Processing Manual*.

Our goal is the prompt, appropriate resolution of the complaint. While we are proceeding with an investigation, there are other approaches that can achieve this goal. In particular, please note the section on resolution of a complaint prior to the conclusion of an investigation. If the District expresses an interest in resolving the complaint and OCR determines that resolution of the complaint prior to the completion of the investigation is appropriate, OCR may attempt to negotiate an agreement with the District pursuant to Section 302 of the *Case Processing Manual*.

Attached is a request for data necessary to investigate this complaint. The Department's regulation implementing Title VI, at 34 C.F.R. § 100.6(c) gives OCR the authority to request this information. Please note that OCR has the right of access to records that are necessary for OCR's investigation, even if those records contain names or other personally identifiable information. See 20 U.S.C. §§ 1232g(b)(1) and 1232g(b)(3) regarding the applicable provisions of the Family Educational Rights and Privacy Act; see also 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii).

OCR requests that the District submit this information within 21 calendar days of the date of this letter (i.e., by **December 12, 2023**). If any item in our request is unclear, or if you experience any difficulty complying with this request, please contact us at the telephone number(s) provided below prior to the expiration of the 21-day period. Please be aware that OCR may need to make additional requests for information in the future. If OCR needs to conduct an on-site investigation, we will notify you in advance.

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, or participates in an OCR proceeding. 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, we will seek to protect personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released, to the extent provided by law.

We look forward to your cooperation during the resolution of this complaint. If you have any questions, please contact Vahn Wagner, Senior Attorney, at (202) 987-1819 or via email at vahn.wagner@ed.gov or me at (202) 987-1875.

Sincerely,

(b)(6); (b)(7)(A); (b)(7)(C)

Wendy Gatlin
Compliance Team Leader

Enclosure

cc: Dr. Pansy Houghton (District's Executive Officer, Compliance)
(Via email only at Pansy.Houghton@hcps.net)

Hillsborough County Public Schools, Florida
OCR Complaint No. 04-24-1042
Data Request

Please submit the following information to Vahn Wagner at vahn.wagner@ed.gov within 21 calendar days of the date of this letter (i.e., by **December 12, 2023**). We prefer that you submit information electronically, if feasible. If you are sending a large electronic file, please contact OCR for directions on how to upload the file to OCR's secure file-sharing platform. Additionally, if any of the information is available online, you may provide the URL in lieu of hard copy documents. Please note that OCR is not requesting, and the District should not provide, any social security numbers in response to this data request. If any item in our request is unclear, or if you experience any difficulty complying with this request, please contact us prior to the expiration of the 21-day period. Please be aware that OCR may need to make additional requests for information in the future. If OCR needs to conduct an on-site investigation, we will notify you in advance.

Preservation of requested and relevant data and documents: OCR may request supplemental data and documents that are relevant to the allegation(s) under investigation. To ensure that OCR can assess the recipient's compliance with the statutory and regulatory obligations at issue in this investigation, please ensure that recipient employees preserve the data and documents requested below for any timeframe specified in these requests and going forward until OCR closes this case. Please also ensure that recipient employees preserve other data and documents that are relevant to the allegation(s) under investigation until OCR closes this case.

Please provide the following data by **December 12, 2023**:

1. The name, title, and contact information of the District's:
 - a. Contact person for this complaint;
 - b. Person authorized to resolve this complaint; and
 - c. Person responsible for responding to Title VI complaints.
2. A copy of the District's policies and procedures and a description of the District's practices governing the investigation of complaints of discrimination, including harassment on the bases of race and national origin/shared ancestry. Include a detailed description of the complaint process, including each level of the process, articulated timeframes for resolution and the types of records maintained. Also identify the names and titles of District staff responsible for handling complaints of discrimination and/or harassment on the bases of race and/or national origin/shared ancestry, at each level of the process.
3. A copy of the Student's student file from the School's (b)(6); (b)(7)(A); (b)(7)(C) including all enrollment and disciplinary records.
4. A copy of all documents related to the (b)(6); (b)(7)(A); (b)(7)(C) incidents that occurred at the School on (b)(6); (b)(7)(A); (b)(7)(C) and their aftermath, including all internal communications exchanged among District personnel and all communications exchanged between the District and the Student's family.

5. A copy of all formal and informal reports/complaints, including records of oral reports/complaints, made by the Student's family to the District concerning any alleged discrimination, including harassment, of the Student based on his race or national origin/shared ancestry since his enrollment in the School's (b)(6); (b)(7)(A); (b)(7)(C) and the District's response to those reports/complaints, including (but not limited to) correspondence, internal and external memoranda, investigative reports, witness statements, logs, forms, meeting minutes and notes generated for each complaint. For each identified report, please provide the following:
 - a. the name(s) and title(s) of the individual(s) to whom the complaint was made, the date of the complaint, and the date of the incident;
 - b. a detailed description of the complaint processing procedures employed to resolve the complaint;
 - c. the length of the investigative process;
 - d. the name(s) and title(s) of the individual(s) involved in the handling of the complaint;
 - e. all actions the District took in response to the complaint;
 - f. the District's final determination regarding the complaint;
 - g. any corrective action taken, including discipline and/or supportive measures; and
 - h. any notice of the findings provided to the Student's family.

6. For the (b)(6); (b)(7)(A); and (b)(6); (b)(7)(A); academic years, all formal and informal reports/complaints, including records of oral reports/complaints, concerning alleged discrimination, including harassment, based on race and/or national origin/shared ancestry and the District's response to those complaints, including (but not limited to) correspondence, internal and external memoranda, investigative reports, witness statements, logs, forms, meeting minutes and notes generated for each complaint. For each identified report, please provide the following:
 - a. the name(s) and title(s) of the individual(s) to whom the complaint/report was made, the date of the complaint/report, and the date of the incident;
 - b. a detailed description of the complaint processing procedures employed to resolve the report/complaint;
 - c. the length of the investigative process;
 - d. the name(s) and title(s) of the individual(s) involved in the handling of the report/complaint;
 - e. all actions the District took in response to the report/complaint;
 - f. the District's final determination regarding the report/complaint;
 - g. any corrective action taken, including discipline and/or supportive measures; and
 - h. any notice of the findings provided to the complainant.

7. A detailed description of any training regarding discrimination, including harassment, based on race and national origin/shared ancestry provided to School staff and students. For each such training provide the dates of such training, a description of the training, a list of the names (and titles where appropriate) of the individuals who attended the training, and copies of any materials distributed during the training.

8. Documentation of any efforts by the District during the (b)(6); _____ academic year to prevent or address race, color or national origin discrimination, including harassment.
9. A narrative response to the issue opened in this complaint if the District wishes to provide this information.
10. Any other information that the District believes will be helpful to OCR or relevant in this investigation.