



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

1999 BRYAN ST., SUITE 1620  
DALLAS, TX 75201-6810

REGION VI  
ARKANSAS  
LOUISIANA  
MISSISSIPPI  
TEXAS

Ref: 06151714

Mr. Michael Adkins, Interim Superintendent  
Webster County School District  
95 Clark Avenue  
Eupora, MS 39744

OCR Ref.: 06-15-1714

Via email to: [madkins@webstercountyschools.org](mailto:madkins@webstercountyschools.org)

Dear Mr. Adkins:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, has completed its investigation of the above-referenced complaint, which was received in our office on [\*\* redacted \*\*]. The complainant alleged that the WCSD discriminated against [\*\*redacted\*\*] the Student, on the basis of race ([\*\* redacted \*\*]), in violation of Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §2000d, and its implementing regulation, at 34 C.F.R. Part 100. Specifically:

- The complainant alleged that the WCSD treated the Student differently based on [\*\* redacted \*\*] race because [\*\* redacted to end of sentence\*\*].
- The complainant also alleged that black [\*\* redacted \*\*] because of their skin color (i.e., [\*\* redacted \*\*]) and [\*\* redacted \*\*] allowed it to occur.

This agency is responsible for determining whether entities that receive or benefit from Federal financial assistance from the Department or an agency that has delegated investigative authority to this Department are in compliance with Title VI and its implementing regulation, at 34 C.F.R. Part 100. Title VI prohibits discrimination on the basis of race, color, or national origin. WCSD is a recipient of Federal financial assistance from the Department of Education. Therefore, OCR has jurisdictional authority to process this complaint for resolution under Title VI.

OCR opened the allegations for investigation, and investigated the following issues:

1. Whether the WCSD treated the Student differently on the basis of race/color in the context of an educational program or activity ([\*\* redacted \*\*]) without a legitimate, nondiscriminatory reason, and thereby, interfered with or limited the ability of the Student to participate in or benefit from the services, activities or privileges provided by the recipient during the [\*\* redacted \*\*] school year, in violation of Title VI, at 34 C.F.R. § 100.3; and

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

2. Whether WCSD discriminated against the Student and others on the basis of race by failing to adequately respond to racially harassing conduct by other students ([\*\* redacted \*\*]), which was sufficient to constitute a hostile environment, of which it had or should have had notice during the [\*\* redacted \*\*] school year, in violation of Title VI, at 34 C.F.R. § 100.3.

Prior to OCR making an investigative determination, the WCSD requested to resolve the complaint by voluntarily entering into a Resolution Agreement (Agreement). Under OCR's procedures, a complaint may be resolved at any time when, prior to the conclusion of the investigation, a recipient expresses an interest in resolving the allegations and issues and OCR determines that it is appropriate to do so.

On May 24, 2017 the WCSD voluntarily entered into the enclosed Agreement, which, when fully implemented, resolves the complaint. The Agreement is aligned with the complaint allegations and the information obtained during the investigation, and is consistent with applicable law and regulations. Specifically, the Agreement requires the District to establish a written policy articulating expectations for [\*\* redacted \*\*] which clearly articulates what penalties will apply to students who fail to comply with expectations, and which will be applied consistently to [\*\* redacted \*\*] regardless of race, color, or national origin. The Agreement also requires the District to take prompt and effect action to investigate complaints of harassment on the bases of race, color, or national origin, and if harassment is found to have occurred, to take action to end it, prevent its recurrence, and where appropriate, remedy its effects. In addition, the Agreement sets forth requirements regarding what documentation must be kept for complaints and investigations concerning harassment based on race, color, or national origin. The Agreement requires that all District staff be trained regarding intervention and prevention strategies and responses to possible incidents of harassment based on race, color, or national origin, and requires that staff responsible for investigating complaints of harassment be trained on how to properly do so. The Agreement requires the District to offer ten (10) hours of counseling for the Student, which may be accepted at the Student's discretion.

Accordingly, as of the date of this letter, OCR will cease all investigative actions regarding this complaint. However, OCR will actively monitor the WCSD's implementation of the Agreement to ensure compliance with Title VI with regard to the issues investigated.

This concludes OCR's investigation of the complaint and should not be interpreted to address the District's compliance with any other regulatory provision or to address any issues other than those addressed in 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. Please also note that the Complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that a recipient may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, complainants may file another complaint alleging such treatment.

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, it 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, you may contact the attorney investigator assigned to this case, Kulsoom Naqvi, at (214) 661-9640 or [Kulsoom.Naqvi@ed.gov](mailto:Kulsoom.Naqvi@ed.gov) or you may contact me at (214) 661-9608 or [paul.coxe@ed.gov](mailto:paul.coxe@ed.gov).

Sincerely,

Paul Coxe  
Team Leader/Supervisory Attorney  
Office for Civil Rights  
Region VI, Dallas Office

Enclosure

cc: [\*\* redacted \*\*]