



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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

REGION VI  
ARKANSAS  
LOUISIANA  
MISSISSIPPI  
TEXAS

XXXX XXXX, XXXX

Mr. Fatih Ay, Chief Executive Officer  
Harmony Public Schools  
9321 W. Sam Houston Pkwy. S.  
Houston, TX, 77099

RE: OCR Case No. 06181325  
Harmony School of Nature and Athletics

Dear Mr. Ay:

The U.S. Department of Education (Department) Office for Civil Rights (OCR) has reached a resolution for the above-referenced complaint filed against the Harmony School of Nature and Athletics (Harmony School), which was received by OCR on XXXX XXXX, XXXX. The complainant alleged that XXXX XXXX (the Student) was discriminated against on the basis of XXXX race, when XXXX was repeatedly harassed by schoolmates but the Harmony School failed to take steps to appropriately respond to the harassment. Specifically, the complainant alleged that the Harmony School failed to respond to XXXX complaints that Harmony School students harassed XXXX XXXX between XXXX XXXX and XXXX XXXX (calling XXXX hairstyle “stupid nigger XXXX,” flashing lights off saying they could not see XXXX because XXXX is “so black,” saying XXXX has no friends because XXXX “too black,” calling XXXX “gay,” “burnt chicken nugget” and “stupid nigger”).

OCR has the authority to enforce 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, which prohibit discrimination on the ground of race, color, or national origin. Harmony School receives federal financial assistance from the Department and is therefore subject to Title VI.

OCR opened for investigation whether the Harmony School discriminated against the Student on the basis of race and color by failing to adequately respond to racially harassing conduct by Harmony School students, which was sufficient to constitute a hostile environment, of which it had or should have had notice during the 2017-2018 school year, in violation of Title VI, at 34 C.F.R. § 100.3.

Prior to the completion of OCR’s investigation, Harmony School expressed a desire to voluntarily resolve the complaint. Consistent with Section 302 of OCR’s Complaint Processing Manual, Harmony School submitted the attached Resolution Agreement (Agreement), signed on May 25, 2018. OCR has determined that, when fully implemented, the Agreement will address the allegation. OCR will monitor the implementation of the Agreement.

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

Based on the commitments Harmony School has made in the Agreement described above, OCR has determined that it is appropriate to close the investigative phase of this complaint. Harmony School has agreed to provide data and other information demonstrating implementation of the Agreement in accordance with the reporting requirements of the Agreement. OCR may conduct visits and request additional information as necessary to determine whether Harmony School has fulfilled the terms of the Agreement. Upon completion of the obligations under this Agreement, OCR shall close this complaint.

This letter should not be interpreted to address Harmony School'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. The complainant may have a right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that Harmony School may not harass, coerce, intimidate, or discriminate against any individual because he or she participated in this complaint. If this should occur, the individual may file a complaint alleging such harassment or intimidation.

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, please feel free to contact Tiffany Gray, the attorney-investigator, by telephone at (214) 661-9611 or Adriane Martin at (214) 661-9600.

Sincerely,

Taylor D. August, Regional Director  
Office for Civil Rights  
Dallas Office

cc: Dr. Zekeriya Yuksel, Superintendent HSNA