

I. Introduction

Skyla Lopez is a 13-year old Black girl who has been unlawfully subjected to a racially hostile educational environment at Southwick Regional School, where she is an 8th grader. She and her mother, Allyson Lopez, bring this Complaint against Southwick Regional School and Southwick-Tolland-Granville Regional School District (hereinafter “Respondents”) for their ongoing and persistent failure to prevent and remedy racial harassment that Skyla has experienced at the hands of other students, resulting in repeated N-word¹ references and culminating in a mock “slave auction” where she was bid on by white students like chattel.

Respondents have ignored repeated and recurring instances of race-based bullying and harassment directed at Skyla, leaving her longing for the safe learning environment that she is legally entitled to. Respondents’ ongoing and persistent failures violate Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d et. seq.

Racial harassment among youth, such as that experienced by Skyla, is a significant and growing problem in Massachusetts and throughout the country.² These types of incidents are devastating to students, as race-based bullying and harassment can have significant long-term

¹ This Complaint uses “N-word” or “N***er” in lieu of the epithet because “this word is perhaps the most offensive and inflammatory racial slur in English, ... a word expressive of racial hatred and bigotry.” *Toussaint v. Brigham & Women’s Hospital, Inc.*, 166 F.Supp.3d 110, 116 (D. Mass. 2015) (internal quotations and citation omitted). This is an “unambiguously” and “vicious” racial epithet. *Alston v. Town of Brookline*, 997 F.3d 23, 47 (1st Cir. 2021) (internal quotations and citation omitted). Here, Complainants try to avoid its use because the word is “pure anathema to African-Americans,” *Spriggs v. Diamond Auto Glass*, 242 F.3d 179, 185 (4th Cir. 2001).

² For example, in October of 2023, a 13-year-old Black student was called a “monkey” at Concord Middle School; a group of white students yelled the N-word during the Hamilton-Wenham Regional High 2023 junior prom; a Black student at Wayland Middle School was called the N-word during a track meet in April of 2023; and in February 2024, a white student spit on a Black student from Pittsfield during a basketball game at Worcester State University. See A. Rickmers & O. Sellstrom, *Racial bullying in schools is on the rise-including here in Mass.*, WBUR (October 19, 2023), <https://www.wbur.org/cognoscenti/2023/10/19/racial-bullying-george-floyd-alexis-rickmers-oren-sellstrom>; see also Michael Goot, *Pittsfield player: Being spat on ‘traumatic’; School rips athletic association for not addressing racial slurs*, WNYT (March 14, 2024), <https://wnyt.com/top-stories/pittsfield-player-being-spat-on-traumatic-school-rips-athletic-association-for-not-addressing-racial-slurs/>.

social, emotional and physical impacts on adolescents. These effects include lower grades, low engagement and negative impacts on mental health creating a greater risk for depression, suicide ideation, and substance abuse.³

Accordingly, Complainants respectfully request that the U.S. Department of Education’s Office for Civil Rights (“OCR”) open an investigation, and order Respondents to: take immediate steps to prevent and remedy racial bullying in the District; promptly and thoroughly investigate all complaints of identity-based bullying and harassment; support potential victims and their families when an allegation of racial bullying and harassment is made; create and implement action steps to remedy and prevent hostile environments caused by identity-based bullying; and create and implement a “zero tolerance” policy that disciplines responsible parties whenever racial bullying or harassment occurs.

II. Jurisdictional Facts

A. The Parties

Complainant Skyla Lopez is a 14-year-old Black girl, who began attending Southwick Regional School in Southwick, Massachusetts, as an 8th grade student, in the Fall of 2023.

Complainant Allyson Lopez is Skyla’s mother.

Respondent Southwick Regional School is a school within the Southwick-Tolland--Granville School District that serves grades 7 through 12. The student population at Southwick

³ See Maria Xu, Natalia Macrynika et al., *Racial and Ethnic Differences in Bullying: Review and Implications for Intervention*, NATIONAL LIBRARY OF MEDICINE (October 18, 2019), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7453877/>; see also Valerie A. Earnshaw, Sari L. Reisner et al., *Stigma-based bullying interventions: A systemic review*, SCIENTEDIRECT (June 2018), <https://www.sciencedirect.com/science/article/abs/pii/S0273229717300138>.

Regional School is predominantly white, with 88.9% of students identifying as white. Only 1.3% of students at Southwick Regional School identify as Black.⁴

B. Timeliness

This Complaint is filed within the applicable 180-day period required by OCR as the pattern or racial harassment and racial bullying is ongoing, with the first incident of racial bullying occurring in November 2023.

C. Receipt of Federal Funds

OCR has jurisdiction over this Complaint as Respondents receive significant federal funding subjecting them to compliance with federal civil rights laws. For example, in 2024 the Southwick-Tolland-Granville Regional School District received an Early Childhood Special Education Program Federal Entitlement Grant, an Individuals with Disabilities Education Act (IDEA) Federal Special Education Entitlement Grant, and a Title IV, Part A: Student Support and Academic Enrichment Grant, all separate sources of federal funding.⁵

Under Title VI, public schools that receive federal funding are prohibited from discrimination based on race, color, or national origin. *See* 42 U.S.C. § 2000d (“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.”).

⁴ MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION (“DESE”), Enrollment Data (2023-2024), <https://profiles.doe.mass.edu/profiles/student.aspx?orgcode=07660505&orgtypecode=6> (last visited April 22, 2024).

⁵ DESE, *Grants And Other Financial Assistance Programs*, <https://www.doe.mass.edu/grants/entitlement-allocation.aspx?view=district&fy=2024&code=0766> (last visited on April 17, 2024).

III. Factual Background

A. Skyla Experiences Numerous Racial Bullying Incidents In Fall/Winter of 2023-2024 School Year, And The Administration Fails To Respond Meaningfully.

Almost immediately upon matriculation at Southwick Regional School, Skyla began experiencing severe racial bullying. In November 2023, Skyla was outside at recess speaking to a white, female student (“Student A”). During this conversation, the white student used the N-word in referencing Skyla. Skyla was deeply hurt and offended by the use of the N-word directed at her. The white student characterized the slur as “a slip,” and Skyla did not report it to school administrators.

Approximately one month later, on or about December 8, 2023, Skyla was verbally assaulted with the N-word again by a different white student. On that occasion, while Skyla was walking into her band class, a white male student (“Student B”) was holding the door for everyone to enter the class. When it was Skyla’s turn to enter the room, the white male student said: “Hello, N***er”. Skyla was shocked and offended that a student would use this derogatory slur so openly and direct it at her. A nearby student overheard the offensive utterance used toward Skyla. Still upset and shaken from the incident, Skyla immediately went to Assistant Principal Charles Jasack (“AP Jasack”) to report being called the N-word. Skyla informed AP Jasack that the racial slur was overheard by another student. When asked to the office, the witness confirmed hearing Student B utter the racial slur toward Skyla.

AP Jasack called Skyla’s mother and informed her of the racist incident. He claimed that the school had a “zero-tolerance” policy for racial bullying, and that Student B’s parents would be informed.

Additionally, AP Jasack claimed that the school would hold a school-wide assembly to address racial bullying. However, it was only much later, after racist events continued to escalate and media attention was drawn to the mock “slave auction,” that any such assembly occurred.

The following month, in January 2024, Skyla was again subjected to a white classmate’s (“Student C”) use of the N-word. While working in a group of four students, a white male student became frustrated with his computer. He became enraged and shouted the N-word in front of the entire group. Skyla was the only Black student working in the group.

Although the administration had failed to properly address the prior behavior, Skyla again went to report the racist incident to AP Jasack. Again, AP Jasack called Ms. Lopez to discuss the racist incident. During this conversation, Ms. Lopez emphasized that Skyla was being subjected to a racially charged environment with racist language and constant bullying. Ms. Lopez requested that the school immediately act to address this toxic and racist environment. However, all that AP Jasack said was that he would call Student C’s parents. No additional updates were provided to Ms. Lopez regarding the incident, and upon information and belief, no additional action was taken to rectify the use of the N-word at the school.

In late January 2024, a white female student (“Student D”) made a racist comment to Skyla about her hair. After wearing braids, Skyla attended school with a straight hairstyle. Student D approached Skyla and stated that her straight hair “looks better than normal,” rejecting and disparaging her former braids – a hairstyle and cultural expression for many Black people.

That evening, Skyla told her mother about the racial comment regarding her hair style and texture, and how the comment was insulting to her.⁶

Respondents' responses to this ongoing pattern of racial harassment were anemic, weak, and ineffective—to the degree there was any response at all. For example, after the Student B incident (the N-word in band class), AP Jasack asked Skyla if she wanted to educate her attacker or if she wanted him punished with consequences, presenting these as mutually exclusive options. Consequences should have been handed down from AP Jasack to Student B to reflect the purported zero-tolerance environment touted by Respondents. At another point, rather than punishing her attackers, Respondents came up with a so-called “safety plan” for Skyla, which singled her out and caused her to be ostracized further by treating her differently from her peers. For example, Skyla was made to enter the school through a separate door from other students, which further alienated, isolated, and marked her, particularly in a school where only 1.3% of students identify as Black. The plan also had Skyla identify a “trusted adult” in the building, but that person has since left the school. Now, Skyla has no one.

The ineffectiveness of Respondents' actions allowed the racially hostile environment to fester and escalate. The inaction is tantamount to complicity.

B. White Students Hold An Online Mock Slave Auction And “Bid” On Skyla

⁶ Student D's insult falls in line with a long and unfortunate history of discrimination against Black people based on their hair. Eurocentric features, such as straight hair, have been deemed “professional” while Black hair worn naturally has been categorized as “unclean and unkempt”. NAACP LEGAL DEFENSE AND EDUCATION FUND, *Background Resources on Black Hair Discrimination and Bias*, <https://www.naacpldf.org/wp-content/uploads/LDF-Primer-on-Hair-Discrimination-Resources-FINAL.pdf> (last visited on April 22, 2024); *see also Landrau-Romero v. Banco Popular De Puerto Rico*, 212 F.3d 607, 614 (1st Cir. 2000) (disparaging hair comments may constitute discrimination); *Jenkins v. Blue Cross Mut. Hosp. Ins., Inc.*, 538 F.2d 164, 169 (7th Cir. 1976) (same); *Gurley v. David H. Berg & Associates*, No. 20-CIV-9998, 2022 WL 309442, at *4 (S.D.N.Y. Feb. 2, 2022) (noting “potential discriminatory intent behind comments regarding natural Black hair”); *Snowden v. Southerton*, No. 22-CV-514, 2023 WL 3601654, at *9 (S.D.N.Y. May 23, 2023) (same); *Rogers v. American Airlines, Inc.*, 527 F.Supp. 229, 232 (S.D.N.Y. 1981) (“banning a natural hairstyle would implicate the policies underlying the prohibition of discrimination on the basis of immutable characteristics”). In light of the prior failures of the administration to take any meaningful action against students who used overt racial slurs, Skyla and her mother did not report the hair comment, as they believed the administration would continue its well-established pattern of inaction.

Despite Skyla and her mother reporting numerous incidents of racial bullying to high-level school administrators, Respondents failed to take meaningful action to curb the racially hostile environment. In fact, the administration allowed the racially hostile school environment to escalate. In February 2024, after experiencing repeated racial harassment for months, Skyla was “bid” on by white students during an online mock “slave auction.”

On the evening of February 8, 2024, Skyla was added to a group chat through the Snapchat social media platform.⁷ She did not open the snapchat group, but instead went to bed as it was late. Upon waking up, Skyla received a notification from snapchat that the name of the group was changed to “Black lives are a L” and a subsequent notification that she was removed from the group. In slang terminology, “L” stands for “lose” or “loser”. As used in the snapchat, it correlated being Black with negativity and losing. Noticing the name change for the group chat, Skyla went to her mother crying. Skyla could not bring herself to tell her mother what happened and went to school upset. Ms. Lopez called the school, alerted them that something was wrong, and requested a guidance counselor. Upon meeting with School Counselor Beth McCarthy, Skyla told her about the name of the snapchat group (“Black lives are a L”) and that she was distraught. Skyla said that the racial bullying she had been experiencing at school was now following her home and had become cyber-bullying.

After leaving the counselor, Skyla went to class where a student shared screenshots from the messages sent in the snapchat group. The group chat consisted of approximately 6 or 7 students – all of them white – who were talking about what they would pay or “bid” for ownership of Skyla and another Black student. At least three of the students were directly

⁷ Snapchat is an online platform that allows different people to invite and join a group so messages can be sent and received. There are settings on the platform that allow users to have any messages automatically deleted after 24 hours. For more information, visit <https://www.snapchat.com>.

involved in “bidding” and the use of racial slurs. Skyla saw that one student had “bid” \$2 on her and another student had “bid” \$4. Skyla was deeply disturbed by this chat, as it was clearly meant to recreate and evoke how slave auctions were conducted. The snapchat group was transformed into an auction with Skyla and another Black student on a virtual slave block.⁸

Morified, upset, and embarrassed, Skyla immediately went back to tell School Counselor McCarthy about the auction and how the white students were bidding on Black students. After Skyla returned to class, AP Jasack called Ms. Lopez to tell her about the snapchat cyber-bullying incident. Ms. Lopez immediately requested that AP Jasack call Skyla back into his office so that they could speak on the phone. Skyla returned to the office and repeated the information she had learned about the slave auction.

Although AP Jasack stated that there would be consequences for these actions, Ms. Lopez said that she and Skyla did not trust there would be any efforts to curb this behavior, as the school’s inaction had become a predictable pattern. She pointed out that no school assembly had been held as promised by AP Jasack after the racial bullying Skyla experienced in December 2023 and January 2024. No affirmative steps had been taken to ensure racial bullying was taken seriously by Respondents. AP Jasack called the Superintendent’s office concerning the mock slave auction.

B. Investigations of Mock Slave Auction

As a response to the mock slave auction and with the assistance of the Springfield Branch of the NAACP, Ms. Lopez filed a formal complaint on behalf of Skyla with the Southwick-

⁸ Anne Bailey & Dannielle Bowman, *They Sold Human Beings Here*, NEW YORK TIMES (Feb. 12, 2020), <https://www.nytimes.com/interactive/2020/02/12/magazine/1619-project-slave-auction-sites.html> (explaining auctions and the sales of enslaved people).

Tolland-Granville Regional School District Superintendent Jennifer C. Willard and the Chief of Southwick Police Robert D. Landis (Exhibit A).

In March 2024, the Problem Resolution System Office of the Massachusetts Department of Elementary and Secondary Education (DESE) identified one instance of racial bullying. In March 2024, the District Attorney of Hampden County announced that he was pursuing criminal charges against the participating students for the racial slurs, threats of violence against people of color, derogatory depictions, and the mock slave auction included in the snapchat group.⁹ The hate crime investigation is ongoing. Despite developments with DESE and District Attorney, Respondents have failed to take any meaningful action.

To date, neither the Superintendent nor any other district leader has taken any meaningful corrective action to address the abhorrent behavior of the students besides one unavailing school assembly. The Superintendent has not called for an official investigation of the incident; has not instituted a district-wide campaign informing students of the “zero tolerance” policy toward racial bullying; has not called for any steps to remedy the longstanding racial bullying or to prevent such harassment in the future; and has not made an official public statement condemning the deplorable and discriminatory behavior of the students.

IV. Analysis

A. Violations of Title VI of the Civil Rights Act.

Title VI of the Civil Rights Act of 1964 states that recipients of federal funding may not exclude individuals from participation in their programs or activities on the basis of race, color,

⁹Kaitlin McKinley Becker, *6 youths to be charged in Southwick racial bullying incident involving ‘mock slave auction’*, NBC BOSTON (March 14, 2024), <https://www.nbcboston.com/news/local/6-youths-to-be-charged-in-southwick-racial-bullying-incident-involving-mock-slave-auction/3308314/>,

or national origin. Public school districts, such as the Southwick-Tolland-Granville Regional School District, that receive federal funds are subject to this mandate. 42 U.S.C. § 2000d.

Courts have long held that Title VI is violated where schools act with deliberate indifference, failing to take adequate measures to prevent racial bullying and harassment against a student. A hostile environment is created when race-based harassment is so severe, pervasive, and objectively offensive that it denies or limits a student's ability to benefit from a school's programs or activities. *Zeno v. Pine Plains Cent. School Dist.*, 702 F.3d 655, 665-66 (2d Cir. 2012). Depriving a student of a supportive, scholastic environment free from racism and harassment constitutes a deprivation of educational benefits under Title VI. *Id.* at 667; *see also DiStiso v. Cook*, 691 F.3d 226, 242-43 (2d Cir. 2012). Deliberate indifference is shown when a school's response to harassment (or lack thereof) is clearly unreasonable in light of the known circumstances.¹⁰ *Davis Next Friend LaShonda D. v. Monroe County Bd. of Educ.*, 526 U.S. 629, 631 (1999). Under the deliberate indifference standard, the action or inaction by the school needs to "at a minimum, cause students to undergo harassment or make them liable to or vulnerable to it." *Id.* at 645.

Here, Skyla is being subjected to a hostile environment based on the continuous racial harassment that is severe, pervasive, and persistent. The inadequate response from the school and the district has allowed the harassment not only to continue but to escalate, which has deprived Skyla of the ability to enjoy a safe school environment.

The continuous racial harassment that Skyla has endured is severe and objectively offensive. Courts have consistently found that repeated slurs and insults create a hostile

¹⁰ While *Davis* construed the deliberate indifference standard in the context of Title IX, lower courts have used this standard in Title VI cases where student-on-student harassment is alleged, since Congress based Title IX on Title VI. *See, e.g., Bryant v. Independent School Dist. No. 1-38 of Garvin County*, 334 F.3d 928, 934 (10th Cir. 2003).

environment.¹¹ The use of the N-word against Black students is particularly offensive. Courts have described it as “the most noxious racial epithet in the contemporary American lexicon...” *Fennell v. Marion Independent School Dist.*, 804 F.3d 398, 409 (5th Cir. 2015) (citing *Monteiro v. Tempe Union High School Dist.*, 158 F.3d 1022, 1034 (9th Cir. 1998)). The history behind the racial slur is extensive and relates to the oppression and degradation of Black people.¹² The derogatory nature of the word includes a depiction of Black people as lazy, slow-witted imbeciles, and has been utilized to institute a racial hierarchy.¹³ It is deeply-rooted in violent anti-Blackness and inextricably intertwined with racial subjugation and white supremacy.¹⁴ Skyla was subjected to this terrifying word, early and often, within less than a full school year. The prevalence of this word – and its normalization – in the school is devastating, shocking and alarming. This is part-and-parcel of a pervasive anti-Black culture at the school.

The severity and offensiveness of Skyla’s racial harassment was compounded by the mock slave auction. The brutal nature of chattel slavery that existed in this country—allowing for the buying and selling of human beings like common goods—went on for more than 400 years. Slavery created lasting harms on American society that persist today. The sale of human beings is an objectively abhorrent concept and the mock slave auction held by white students

¹¹See *DiStiso v. Cook*, 691 F.3d 226, 242-43 (2d Cir. 2012) (“Defendants do not-and cannot-dispute that such conduct, particularly use of the reviled epithet ‘nigger’ raises a question of sever harassment going beyond simple teasing and name-calling”); *Pine Plains Cent. School Dist.*, 702 F.3d 655, 666-67 (2d Cir. 2012) (explaining that being called the N-word, ‘homey’, and ‘gangster’ went beyond ‘simple acts of teasing and name-calling among school children’); *Fennell v. Marion School Dist.*, 804 F.3d 398, 409 (5th Cir. 2015) (explaining the severity of using the N-word as a racial slur).

¹² Phil Middleton & David Pilgrim, *Nigger (the word), a story*, AFRICAN AMERICAN REGISTRY, <https://aaregistry.org/story/nigger-the-word-a-brief-history/> (last visited on April 17, 2024).

¹³ *Id.*

¹⁴ “Indeed, it is beyond question that the use of the word ‘nigger’ is highly offensive and demeaning, evoking a history of racial violence, brutality, and subordination. This word is perhaps the most offensive and inflammatory racial slur in English ... a word expressive of racial hatred and bigotry.” *Chery v. Sears, Roebuck and Co.*, 98 F. Supp. 3d 179, 193 (D. Mass. 2015) (internal quotations and punctuation omitted) (citing *McGinest v. GTE Service Corp.*, 360 F.3d 1103, 1116 (9th Cir. 2004)).

shocks the conscience. Black students being taunted by a re-creation of this horrendous system is unconscionable and constitutes severe harassment that is objectively repugnant.

Skyla's harassment has also been pervasive. *See Marion Independent School Dist.*, 804 F.3d at 409 (concerted racial bullying constitutes pervasive harassment). In a matter of months, Skyla's bullying evolved from racial slurs to a slave auction. Respondents' failure to act opened the door to this escalation. The number of students that have participated in racial bullying against Skyla is growing and cascading. Notably, as described above, each incident of race-based attacks also involved different white students. This exemplifies a widespread racial bullying culture of Southwick Regional School that has been allowed to flourish unchecked.

The increasing number of incidents Skyla experienced also speaks to the persistence of the bullying and harassment. Having attended the school for less than an academic year, she has been called the N-word repeatedly; has experienced negative comments made about her hair texture; and has been made the subject of a mock slave auction run by white students. The number of incidents – and their growing intensity – correlates to persistent, ongoing harassment by her peers.

Moreover, Respondents have been deliberately indifferent to this racial harassment, and have failed to take meaningful corrective action to prevent and remedy it. Respondents received actual notice of racial slurs and did not act. After Skyla was called the N-word a second time, AP Jasack claimed that a school-wide assembly would be held. However, weeks later, no such assembly occurred. It was only after the public outcry that ensued following media stories about the mock slave auction that any assembly was held. As described above, rather than punishing offenders, Skyla has been singled out, isolated and stigmatized. Respondents are failing to

afford a supportive, scholastic environment to Skyla as the persistent race-based harassment continues.

This pervasive harassment has had a concrete, negative effect on Skyla's education. *See Monroe County Bd. Of Educ.*, 526 U.S. at 654 ("The harassment must have a concrete, negative effect on the victims' education..."). Skyla has become more trepidatious of her peers and her social interactions have changed. She has lost trust in the administrators, teachers, and students at Southwick Regional School. She no longer believes that the school is a safe, supportive environment. Skyla's reaction to this ongoing abuse is consistent with a vast body of social science research, which shows that race-based bullying can have negative physical, mental, and emotional impacts on students and has been linked to suicide, self-harm, depression, and substance abuse in severe cases.¹⁵

In sum, Respondents are depriving Skyla of educational benefits due to severe, pervasive, and persistent race-based bullying and harassment to which they are deliberately indifferent. The lack of meaningful investigation and remedy have allowed the hostile environment to persist and escalate, culminating in a mock slave auction. Respondents' actions and inactions are an affront to human decency and dignity. Respondents' actions and inactions also violate Title VI of the Civil Rights Act.

V. RELIEF REQUESTED

For all of the above reasons, Complainants respectfully request that OCR:

¹⁵ Muhammad Waseem & Matteo Angelo Fabris, *Empowering Students Against Ethnic Bullying: Review And Recommendations Of Innovative School Programs*, NATIONAL LIBRARY OF MEDICINE (October 2023), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10605012/#:~:text=According%20to%20Carter's%20theory%20of,trauma%20%5B15%2C16%5D>.

- 1) conduct a comprehensive investigation of Respondents' compliance with Title VI, including the District's policies and practices regarding race-based bullying and harassment in each of the District's schools;
- 2) issue a finding that the Respondents have violated Complainants' rights under Title VI by failing to remedy and prevent a racially hostile educational environment;
- 3) ensure future compliance with Title VI and its implementing regulations;
- 4) require Respondents to create and implement policies to protect vulnerable populations of students against racial bullying and identity-based harassment;
- 5) require Respondents to create and implement procedures to ensure prompt, thorough investigations of race-based bullying and harassment allegations;
- 6) require Respondents to create and implement affirmative steps to remedy and prevent hostile environments caused by racial bullying and harassment;
- 7) require Respondents to provide mental health, social service, and other support to victims of racial bullying and harassment; and
- 8) require Respondents to adopt and implement "zero tolerance" policies and procedures that discipline responsible parties for racial bullying and harassment.

Dated: April 29, 2024

Respectfully submitted,

/s/Tasheena M. Davis
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EXHIBIT A



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Robert D. Landis, Chief of Police
Southwick Police Department
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February 20, 2024

Re: Bullying/Harassment Complaint

Dear Superintendent Willard and Chief Landis,

I have noted Superintendent Willard's public comments regarding the above referenced matter and am somewhat unclear. It has been reported that the School Department has concluded its investigation, yet no contact was ever made with the victim or her parent. How can an investigation regarding the bullying and harassment of a student not include communication with the victim?

Chief Landis was reported as stating that while he was "aware of the alleged racial bullying of the Black student, that is not the focus of the police investigation." He reportedly said his officers are seeking to find who was involved in the mock slave auction. Why wouldn't the reports of racial bullying be a part of the police investigation?

The school department, by law, is responsible for enforcing a Bullying Prevention and Intervention Plan that expresses a commitment to work with students, staff, families, law enforcement agencies, and the community to prevent bullying, cyber-bullying, and other types of violence. Furthermore, all acts of bullying are prohibited, including cyber-bullying, acts of bullying on school grounds, adjacent to school grounds, at school sponsored and related activities whether on or off school grounds, or through the use of technology or even at locations not school related if the acts create a hostile environment at school for the target of bullying.

The police department is obligated to investigate incidents of racial harassment and

bullying. While the 'slave auction' incident should be investigated, it should not be cause to ignore the serious concerns of bullying and harassment on the basis of race.

Once again, we call for a thorough and transparent investigation into all of the concerns raised by Allyson Lopez on behalf of her daughter. This matter should be a priority and the Lopez family should be respectfully informed on the progress of your investigations.

Respectfully,

Bishop Talbert W. Swan, II
President, Greater Springfield NAACP
Member, Massachusetts Hate Crimes Task Force
Chairman, Massachusetts Commission on the Status of African Americans

cc: Serena Shorter, Principal, Southwick Regional High School
Robert D. Landis, Chief of Police, Southwick Police Department
Attorney Maurice Powe, Chairman, Legal Redress Committee, NAACP
Allyson Lopez