

**BEFORE THE UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS**

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MC HENRY, RICARDO HENRY, and WEDDEE HENRY,	)	
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	)	<b>COMPLAINT UNDER</b>
	)	<b>TITLE VI OF THE CIVIL</b>
	)	<b>RIGHTS ACT OF 1964</b>
Complainants,	)	
	)	
v.	)	
	)	
	)	
AMOS A. LAWRENCE SCHOOL and PUBLIC SCHOOLS OF BROOKLINE,	)	
	)	
	)	
Respondents.	)	

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## I. INTRODUCTION

In the last year, MC Henry, a Black eighth-grade student who attended Amos A. Lawrence School (“AALS”), experienced multiple incidents of egregious racial harassment and physical violence by other students. MC and their<sup>1</sup> parents, Ricardo and Weddee Henry (collectively, “Complainants”), bring this Complaint against AALS and Public Schools of Brookline (“PSB”) (collectively, “Respondents”), for their ongoing and persistent failure to prevent and remedy the racial harassment that MC experienced while in the school’s care. This harassment ranged from being called racially derogatory slurs, such as “cotton picker,” to the most recent incident, where a white student placed his knee on MC’s neck while MC was on the ground, and yelled, “George Floyd! George Floyd!”—a painful reference to the Black man whose murder at the hands of Minneapolis police officers sparked a nationwide outcry for racial justice.<sup>2</sup>

Instead of adequately addressing the harassment, Respondents attempted to sweep it under the rug, diminishing the severity and harm of these traumatic incidents. Skeptical of AALS’s and PSB’s ability to protect MC, Complainants have left PSB altogether seeking a safer educational setting for MC. Respondents’ delayed response and failure to address these incidents of racial bullying violates Title VI of the Civil Rights Act of 1964 (“Title VI”), 42 U.S.C. § 2000d *et. seq.*, divests MC of their right to a safe learning environment, and places other Black students like MC at risk.

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<sup>1</sup> MC’s pronouns are they/them. This Complaint uses these pronouns accordingly. *See Foote v. Town of Ludlow*, No. 22-CV-30041, 2022 WL 18356421, at \*5 (D. Mass. Dec. 14, 2022) (“Addressing a person using their preferred name and pronouns simply accords the person the basic level of respect expected in a civil society generally, and, more specifically, in Massachusetts public schools where discrimination on the basis of gender identity is not permitted.”).

<sup>2</sup> Manny Fernandez & Audra D.S. Burch, *George Floyd, From ‘I Want to Touch the World’ to ‘I can’t Breathe,’* New York Times (April 20, 2021), <https://www.nytimes.com/article/george-floyd-who-is.html>. *See also* U.S. Department of Justice, Office of Public Affairs, *Three Former Minneapolis Police Officers Convicted of Federal Civil Rights Violations for Death of George Floyd* (February 24, 2022), <https://www.justice.gov/opa/pr/three-former-minneapolis-police-officers-convicted-federal-civil-rights-violations-death>.

Racial harassment among youth, such as that experienced by MC, is a significant and growing problem in Massachusetts and throughout the country.<sup>3</sup> These types of incidents are devastating to students, as race-based bullying and harassment can have significant long-term social, emotional, and physical impacts on adolescents, including lower grades, low engagement, and greater risk for depression, suicide ideation, and substance abuse.<sup>4</sup>

Accordingly, Complainants respectfully request that the U.S. Department of Education's Office for Civil Rights ("OCR") open an investigation and enforce compliance with civil rights laws at AALS and PSB. We further urge OCR to mandate Respondents to take immediate and decisive action to address racial bullying and the racially hostile educational environment that Respondents have created and allowed to persist.

## II. JURISDICTIONAL FACTS

### A. The Parties.

MC Henry is a 14-year-old Black student who attended AALS in Brookline, Massachusetts starting in kindergarten. They have recently completed eighth grade at AALS. Complainants Ricardo and Weddee Henry are MC's parents.

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<sup>3</sup> 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 Hamilton-Wenham Regional High School's 2023 junior prom; a Black student at Wayland Middle School was called the N-word during a track meet in 2023; and in February 2024, a white student spit on a Black student from Pittsfield during a basketball game at Worcester State University. *See* Alexis Rickmers & Oren 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/>.

<sup>4</sup> *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*, SCIENCE DIRECT (June 2018), <https://www.sciencedirect.com/science/article/abs/pii/S0273229717300138>.

Respondents Amos A. Lawrence School is a kindergarten to eighth grade school within the Public Schools of Brookline school district. Only 4.6% of students at AALS identify as Black.<sup>5</sup>

**B. Timeliness.**

This Complaint is filed within the applicable 180-day period required by OCR as the incidents of racial harassment MC experienced occurred between December 2023 and April 2024.

**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, PSB received over \$3 million dollars in federal funds.<sup>6</sup>

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.”).

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<sup>5</sup> Massachusetts Department of Elementary and Secondary Education (“DESE”), *School and District Profiles: Brookline, Lawrence*, <https://profiles.doe.mass.edu/profiles/student.aspx?orgcode=00460030&orgtypecode=6&> (last visited June 10, 2024).

<sup>6</sup> This includes an Early Childhood Special Education (“ECSE”) Program Federal Entitlement Grant, an Individuals with Disabilities Education Act (“IDEA”) Federal Special Education Entitlement Grant, a Strengthening Career and Technical Education for the 21st Century Act (“Perkins V”) Secondary Grant, a Title IV, Part A: Student Support and Academic Enrichment Grant, a Title III: English Language Acquisition and Academic Achievement Program for English Learners and Immigrant Children and Youth grant, Title 1, Part A, and Title II, Part A: Supporting Effective Instruction—all separate sources of federal funding. *See* DESE, *State and Federal Entitlement And Allocation Grants by District: Brookline*, <https://www.doe.mass.edu/grants/entitlement-allocation.aspx?view=district&fy=2024&code=0046> (last visited June 10, 2024).

### III. FACTUAL BACKGROUND

During MC's final year at AALS, they endured multiple instances of targeted and racialized bullying, which Respondents failed to prevent and remedy.

#### A. "Cotton Picker" Incident.

In or about December 2023 during their health class, a male student sitting next to MC accidentally dropped his dry cereal. When MC tried to help him pick it up, the other student abruptly said: "I don't want your help, you cotton picker." Deeply upset, angry, and shocked, MC immediately reported the incident to their teacher and later discussed it with their school counselor. MC recognized that this derogatory slur evoked the painful legacy of U.S. chattel slavery and the Jim Crow era and regarded it as a deeply offensive attack on their identity, culture, and racial background.

When MC's parents became aware of this racial incident, Ms. Henry contacted the school counselor and requested mental health support for MC. In addition, Ms. Henry requested that the school arrange a meeting between the Henrys and the perpetrator's parents to be able to convey to them the harmful nature of their son's slur. The counselor initially assured the Henrys that they would facilitate this meeting. However, the meeting was ultimately not held. Instead, all that the counselor did was to tell the perpetrator to talk to MC and apologize. Unsurprisingly, given the lack of any other meaningful consequences, this effort was unavailing, with the perpetrator mouthing the required "apology" but refusing to acknowledge the harmful nature of the remark.

The Henrys were never given an adequate explanation for the school's back-tracking; however, the school counselor began referring to the slur as "just a joke." She also began claiming that a meeting between the parents would be "challenging" because the perpetrator's parents do not speak English (ignoring legal mandates to provide interpretation). Not only did the promised

meeting never occur, but, on information and belief, the perpetrator was never disciplined in any way.

**B. George Floyd Re-enactment Incident.**

A subsequent incident of targeted racial bullying included an act of physical violence against MC. On or about April 11, 2024, while attending their music conservatory class, MC tripped over a piece of equipment. While MC was still on the floor, a white student knelt down, placing his knee directly on MC's neck, and exclaimed, "George Floyd! George Floyd!," grotesquely mimicking the horrific murder of George Floyd, who suffocated as a police officer pressed his knee on Floyd's neck. The student continued to press his knee forcefully into MC's neck until MC's friend intervened. MC and other students were shocked by the behavior, leaving many of them questioning how this student could feel emboldened to act in such a violent way.

After this horrific incident, MC was so traumatized that they did not want to reveal the incident to their parents. The weight of the painful experience, however, became too much to bear, and about two weeks later, MC finally confided in their mother about the violence. On April 29, 2024, at home around 10:30 P.M., MC paced in the living room. Mrs. Henry, alarmed by MC's anxious demeanor, asked if MC wanted to talk about anything. MC was initially hesitant, but ultimately told their mother about the physical attack. This retraumatized MC, causing them to again experience severe physical and emotional symptoms of anxiety.

MC felt deeply humiliated by this incident, leading to severe anxiety that manifested physically through crying and body shakes. MC was also upset that a student would mock the death of a Black man at the hands of police officers. This callous behavior made it difficult for MC to process their complex and painful emotions. MC's trauma manifested as a change of character and demeanor noticed by their parents and teachers as MC became more reserved. MC

also avoided any interactions with the perpetrator and feared being ostracized and stigmatized at school if they talked about the racist incident.

The same night that Mrs. Henry became aware of the George Floyd incident, she texted the school counselor requesting immediate support for MC. The school counselor spoke to MC the next day, and MC shared all the details of the attack, including the name of the perpetrator. Afterwards, on April 30, 2024, the school counselor relayed to Mrs. Henry via text message that she understood the gravity of the situation. She stated that she “was so upset to hear what [MC] reported....” She also assured Mrs. Henry that the school would take appropriate action. She said that “[AALS] will be taking this super seriously...[The principal] will consult with [the] office of educational equity.”

The next day, AALS Principal Vanessa Bilello informed the Henrys that the perpetrator was not present in school due to unrelated circumstances. Principal Bilello promised, however, that AALS would keep them abreast of any further action. When the Henrys heard nothing further, on or around May 2, 2024, Mr. Henry went in person to Principal Bilello’s office to urge the school to take the incident seriously and to request a meeting with the perpetrator and his parents. Principal Bilello reassured Mr. Henry that the school would take action, including working with the Director of Education Equity. In the following days, Principal Bilello assured the Henrys that the perpetrator’s parents would be meeting with her. However, the Henrys received no further communication about whether the meeting was held or any action plans that followed, and no follow-up meeting with the Henrys was ever scheduled.

On May 7, 2024, increasingly alarmed that the school was taking no action, Mr. Henry emailed both Principal Bilello and Linus Guillory, Superintendent of Brookline Schools, regarding the pattern of harassment MC was experiencing and AALS’s inaction. He received no response

for nearly two weeks. Finally, on May 18, 2024, PSB's Senior Director of Education Equity responded saying: "[AALS staff] have been actively remaining student-centered in supporting [MC]. With that said, I also want to acknowledge your concerns and disappointment as parents did not hear from the administration with a follow-up." Even after acknowledging AALS's inadequate response, the school has yet to take meaningful steps to address the recurrent racial harassment. These incidents of racial bullying underscore Respondents' failure to tackle the pervasive issue of racial bullying within the student body.<sup>7</sup>

The Henrys are dismayed by the inaction and inadequate responses from AALS and PSB. MC has been deeply hurt and humiliated by the racial harassment and fears social isolation and stigmatization. This has led MC to become more withdrawn and rightfully skeptical of the school's ability to ensure their safety. Of particular concern is MC's loss of trust in the school counselor, who had previously been a vital source of support. Consequently, MC's parents have been forced to seek external mental health services to assist MC in overcoming the racial harassment, violence, and trauma.

Respondents' failure to protect MC is also part of a larger pattern of systemic issues affecting students of color within the district. PSB has a well-documented history of failing to close the racial achievement gap, highlighting deeper, pervasive inequities. This year's 2023 MCAS results starkly illustrate this persistent racial issue:

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<sup>7</sup> This is especially troubling given that PSB students have been circulating a PowerPoint filled with racist and homophobic content. MC has personally seen and heard about it from other students. This further highlighting the Respondents' systemic neglect and inability to create a safe and inclusive environment for all students.



- In math, 76% of Black students and 60% of Hispanic students in grades three through eight did not fully meet expectations, compared with 26% of white students and 14% of Asian students.<sup>8</sup>
- In language arts, the gap was similarly alarming: 66% of Black students and 51% of Hispanic students did not fully meet expectations, compared with 25% of white students and 26% of Asian students.<sup>9</sup>

This broader context of systemic neglect magnifies the district's inadequate response to the racial harassment MC faced, revealing a profound failure to create a safe and equitable learning environment for all students, particularly students of color.

#### **IV. Legal Analysis**

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

Title VI states that recipients of federal funding may not exclude individuals from participation in their programs or activities based on race, color, or national origin.<sup>10</sup> Public schools, such as AALS, and school districts, such as PSB, that receive federal funds are subject to this mandate.<sup>11</sup>

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

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<sup>8</sup> See Jeremy Margolis, *MCAS Scores Show Vast Racial Achievement Gap Remains in Brookline Schools*, Brookline.News (Sept. 25, 2023), <https://brookline.news/mcas-scores-show-vast-racial-achievement-gap-remains-in-brookline-schools/#:~:text=According%20to%20the%20latest%20enrollment,%25%20identify%20as%20multi%2Dracial.>

<sup>9</sup> *Id.*

<sup>10</sup> 42 U.S.C. § 2000d.

<sup>11</sup> 34 C.F.R. § 100.13(i) (2000) (defining “recipient” to include any public “agency, institution, or organization, or other entity. . . in any State, to whom Federal financial assistance is extended”); *see also* 34 C.F.R. §100.13(g)(2)(ii).

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); *accord Sewell v. Monroe City School Board*, 974 F.3d 577, 584 (5th Cir. 2020); *Bryant v. Independent School Dist. No. 1-38*, 334 F.3d 928, 934 (10th Cir. 2003). Depriving a student of a supportive, scholastic environment free from racism and harassment constitutes a deprivation of educational benefits under Title VI. *Zeno*, 702 F.3d 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. *Davis Next Friend LaShonda D. v. Monroe County Bd. of Educ.*, 526 U.S. 629, 631 (1999).<sup>12</sup> 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, MC was subjected to a hostile environment based on race that was severe, pervasive, and objectively offensive; and Respondents’ inaction to address the harassment was clearly unreasonable in light of the known circumstances.

Courts have consistently found that repeated slurs and insults create a hostile environment.<sup>13</sup> Racially charged terms such as “cotton picker”<sup>14</sup> are widely recognized racial epithets that conjure memories of the violent and dehumanizing experiences of Black people who were forced into slavery in the U.S. They are a direct connection to the subjugation and oppression of Black people for over 400 years,<sup>15</sup> and as such are objectively offensive. In fact, courts have

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<sup>12</sup> 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).

<sup>13</sup> *See 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’).

<sup>14</sup> *See also* Gene Demby, *When Boys Can’t Be Boys*, NPR, (November 2, 2018), <https://www.npr.org/sections/codeswitch/2018/11/02/417513631/when-boys-cant-be-boys> (explaining why terms such as “boy,” directed at Black people, are racially charged).

<sup>15</sup> *Id.*

consistently found that the term “cotton picker” is racially discriminatory. *See, e.g., Wilson v. Port City Air Inc.*, No. 13-CV-129, 2014 WL 2480082, at \*3 (D.N.H. June 3, 2014) (allowing discrimination lawsuit and finding that “cotton picker” is “racially offensive language”); *see also McGinnis v. U.S. Cold Storage*, No. 16-CV-8841, 2018 WL 2320930, at \*5 (N.D. Ill. May 22, 2018) (allowing discrimination lawsuit and finding that “cotton picking” is a “racially charged epithet [ ]”).

The severity of the racial harassment that MC endured can also be seen in the toll that it has taken on their mental health. MC has become withdrawn, anxious, and fearful of social interactions. The type of psychological impact that MC has experienced is not uncommon and, in fact, has been well-documented for years in scientific literature: identity-based harassment can impact an individual’s sense of self-worth and belonging;<sup>16</sup> disrupt a healthy development of racial identity;<sup>17</sup> cause long term mental and physical health issues;<sup>18</sup> and erode trust in peers and authority figures.<sup>19</sup>

The U.S. Court of Appeals for the First Circuit has recently underscored this point by highlighting the harmful psychological impact of identity-based derogatory messages on students whose identities are demeaned. *L.M. v. Town of Middleborough*, 103 F.4th 854 (1st Cir. 2024).<sup>20</sup> The court noted that derogatory messages “strike[] a person at the core of [a student’s] being” and “poison the educational atmosphere due to [their] serious negative psychological impact on

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<sup>16</sup> Sidney H. Hankerson et al., *The Intergenerational Impact of Structural Racism and Cumulative Trauma on Depression*, *The American Journal of Psychiatry* (June 2022).

<sup>17</sup> *Id.*

<sup>18</sup> Jonel E. Emlaw et al., *Racial Discrimination and Hypothalamic-Pituitary-Adrenal Axis Dysregulation in Adolescents With Overweight and Obesity: Does Context Matter?*, *Psychosomatic Medicine* (October 2023).

<sup>19</sup> Karen Chow, *Bullying Prevention: Shaping Empathy and Understanding*, Housman Institute (Feb. 15, 2024), <https://www.housmaninstitute.com/blog/bullying-prevention-shaping-empathy-and-understanding>.

<sup>20</sup> The *L.M.* case involved a student who asserted a First Amendment right to wear a shirt to school that said, “There Are Only Two Genders.” *Id.* at 860. In ruling against the student, the First Circuit repeatedly noted that statements that “demean [ ] personal characteristics – like race, sex, religion, or sexual orientation” can have significant deleterious effects on students who identify with these characteristics. 103 F.4th at 868.

students with the demeaned characteristic.” *Id.* at 873-74 (citations and quotations omitted). Courts have consistently found that such slurs are particularly dangerous when directed at young people, and psychological harassment in educational settings may cause more permanent trauma and damage than physical harassment.<sup>21</sup>

The severity and offensiveness of MC’s racial harassment was compounded by the most recent incident where a white student placed his knee on MC’s neck, echoing the tragic events surrounding George Floyd’s death. This student’s actions, reminiscent of Mr. Floyd’s final moments, which sparked the largest mass protest movement in U.S. history for racial justice and against police brutality,<sup>22</sup> cannot be dismissed as innocuous. The re-creation of such circumstances is unconscionable and constitutes severe harassment that is objectively repugnant. This constitutes a violent physical attack.

MC’s harassment has also been pervasive. *See Marion Independent School Dist.*, 804 F.3d at 409 (concerted racial bullying constitutes pervasive harassment). Respondents’ failure to act opened the door to heightened harassment, from racial epithets to physical escalation. In a matter of months, MC’s bullying evolved from a racial slur to physical violence, mocking the murder of George Floyd.

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 the incidents and did not act. After MC was called a “cotton picker,” AALS staff failed to impose any discipline or consequences at all. The only step they did take—to tell the

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<sup>21</sup> *See e.g., Trachtman v. Anker*, 563 F.2d 512, 520 (2d Cir. 1977) (Gurfein, J., concurring) (observing that in a high school setting “a blow to the psyche may do more permanent damage than a blow to the chin”); *see also Nuxoll ex rel. Nuxoll v. Indian Prairie School District #204671*, 523 F.3d 668, 671 (7<sup>th</sup> Cir. 2008) (collecting social science literature).

<sup>22</sup> Audra D. S. Burch et al., *The Death of George Floyd Reignited a Movement. What Happens Now?*, New York Times (June 23, 2023), <https://www.nytimes.com/2021/04/20/us/george-floyd-protests-police-reform.html>.

perpetrator to apologize—was exceedingly minimal, and arguably harmful. A forced “apology” trivializes the severity of racial bullying, suggesting that the harm is minor, and that the victim is at fault if they do not immediately forgive the conduct. It provides no accountability for the perpetrator, particularly where—as here—it is not accompanied by any meaningful consequences or restorative actions. Respondents also failed to offer MC any additional support to help them cope with the aftermath of the incident. Following the subsequent George Floyd incident, there was again a failure by AALS to take meaningful or decisive action—only promises of intervention without any actual implementation.

Courts have long acknowledged that student security encompasses more than just protection from physical harm; it also includes protection from “psychological attacks that cause [the child] to question their self-worth.” *L.M.*, 103 F.4 at 869. That is because speech that attacks “a ‘core characteristic’ of a minority group’s identity has a “detrimental” effect on [students’] psychological health ... [and] educational development.” *Id.* Respondents failed to provide this protection to MC. AALS’s failure to recognize the implications of the racial slur is in direct opposition to the school’s inherent responsibility to keep all children emotionally and physically safe. This oversight perpetuates racial inequality for Black students, obscuring MC and other Black students’ access to a supportive, discrimination-free school environment. AALS has the utmost responsibility to ensure that this behavior is not allowed by any students, and to educate their students on the implications and harm of racial biases and hate speech.

This pervasive harassment has had a concrete, negative effect on MC’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...”). MC has become more trepidatious of their peers, and their social interactions have changed. MC has lost trust in the administrators, teachers, and students at

AALS. MC and the Henrys no longer believe that PSB is a safe, supportive environment. MC's reaction to this 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.<sup>23</sup>

In sum, MC was deprived of a supportive and safe educational environment. Respondents' failures have allowed the racially hostile environment to persist and escalate, culminating in physical violence. 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:

- 1) Conduct a comprehensive investigation of Respondents' policies and practices regarding race-based bullying and harassment in each of the PSB'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 processes and procedures for victims to report incidents of racial bullying;

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<sup>23</sup> 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,%20trauma%20%5B15%2C16%5D>.

- 6) Require Respondents to create and implement procedures to ensure prompt, thorough investigations of race-based bullying and harassment allegations;
- 7) Require Respondents to create and implement affirmative steps to remedy and prevent hostile environments caused by racial bullying and harassment, including but not limited to, providing age-appropriate information programs for students to address racial harassment;
- 8) Reimburse Complainants for expenses incurred related to past and future therapeutic services resulting from the racially hostile environment;
- 9) Require Respondents to provide mental health, social service, and other support to victims of racial bullying and harassment; and
- 10) Require Respondents to adopt and implement “zero tolerance” policies and procedures that discipline responsible parties for racial bullying and harassment.

Dated: July 22, 2024

Respectfully submitted,

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