



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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BOSTON, MA 02109-3921

REGION I

CONNECTICUT  
MAINE  
MASSACHUSETTS  
NEW HAMPSHIRE  
RHODE ISLAND  
VERMONT

May 1, 2023

Nicole Neily

By email: [nicole.neily@defendinged.org](mailto:nicole.neily@defendinged.org)

Re: Complaint No. 01-23-1132  
Champlain Valley UHSD 15

Dear Nicole Neily:

This letter advises you of the outcome of the U.S. Department of Education, Office for Civil Rights (OCR) investigation of Champlain Valley UHSD 15 (the District). OCR opened an investigation after receiving a complaint alleging that the District discriminated against students on the basis of race. As explained below, OCR is closing the complaint.

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 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.

The complaint alleged that the District discriminated against students on the basis of race by establishing a BIPOC<sup>1</sup> Affinity Group which would exclude non-BIPOC individuals. During investigation, the District informed OCR that the affinity group does not yet exist, rather it was advertised in a District school's newsletter because that school is looking to start the group. The District also informed OCR that the group would not restrict membership on the basis of race or color, and that it updated the school newsletter to make clear that "all are welcome" to join the group. OCR confirmed that this change was made by reviewing the posted version of the electronic newsletter.

As the facts underlying the allegation are no longer present and OCR has no evidence the law is violated, OCR is closing the complaint under Section 110(d) of OCR's *Case Processing Manual* because it has been resolved.

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.

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<sup>1</sup> The term "BIPOC" is shorthand for Black, Indigenous, and people of color.

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, assists, or participates in a proceeding under a law enforced by OCR. 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.

Sincerely,

A handwritten signature in cursive script that reads "Meighan McCrea".

Meighan McCrea  
Supervisory Civil Rights Attorney