



June 24, 2026

Via Email to [OCR@ed.gov](mailto:OCR@ed.gov)  
U.S. Department of Education  
Office for Civil Rights  
400 Maryland Avenue, SW  
Washington, DC 20202-1100

**Re: Policies and Practices of City Schools of Decatur, Georgia, in Violation of Title IX and Title VI**

To Whom It May Concern:

The Defense of Freedom Institute for Policy Studies (“DFI”) is a national nonprofit organization dedicated to defending and advancing freedom and opportunity for every American family, student, entrepreneur, and worker and to protecting the civil and constitutional rights of Americans at school and in the workplace. Such rights include the right not to be excluded from equal opportunities in federally funded education programs or activities due to prohibited discrimination on the basis of race, color, national origin, or sex, among other characteristics specified in federal law.

Pursuant to the discrimination complaint resolution procedures of the U.S. Department of Education’s (“Department”) Office for Civil Rights (“OCR”), DFI brings this federal civil rights complaint against City Schools of Decatur (“CSD”) in the state of Georgia for discrimination on the basis of sex in education programs or activities that receive federal financial assistance in violation of Title IX of the Education Amendments of 1972 (“Title IX”)<sup>1</sup> and discrimination on the basis of race, color, and national origin in programs or activities that receive federal financial assistance in violation of Title VI of the Civil Rights Act of 1964 (“Title VI”).<sup>2</sup>

CSD, a public school district subject to Title IX and Title VI, maintains policies and practices that violate these federal civil rights laws as follows:

- It requires its schools to grant students access to sex-separated intimate facilities, such as bathrooms and locker rooms, on the basis of their asserted “gender identity” instead of sex.

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<sup>1</sup> 20 U.S.C. §§ 1681 *et seq.*

<sup>2</sup> 42 U.S.C. §§ 2000d *et seq.*



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- Outside of interscholastic athletics regulated under state law and policy, it requires women and girls to compete in female-designated sports against men and boys who identify as female.
- It maintains an overnight field-trip policy that may require students to share bedrooms on the basis of their asserted “gender identity” instead of sex.
- It directs schools to make decisions throughout their policies and practices, including recruiting and hiring, resource distribution, student achievement and discipline, and groups consulted in decision-making processes, based on the races of those affected by the relevant decisions.
- It has required teachers to incorporate into their curricula and classroom materials a framework of “cultural humility” indoctrinating students in the belief that “whiteness” is inherently problematic and that white people owe a debt to black students.
- It has promoted resources that attack Jews in Israel as “settler-colonialists” who maintain an “apartheid” system oppressing Palestinians.
- It has admitted in numerous policies and communications to “systemic racism” and “white supremacy” infecting its departments and operations.

We ask OCR to investigate these policies and practices, described in more detail below; consider potential sanctions against CSD as authorized under Title IX and Title VI; and place CSD on clear notice that failure to comply with these federal laws in its policies and practices will result in the withdrawal of federal funding.

## **CSD Policies and Practices**

### ***CSD Policies and Resources on “Gender Identity”***

#### *CSD Board of Education Policies*

CSD is a public school district in DeKalb County, Georgia, located within the independent city of Decatur near downtown Atlanta.<sup>3</sup> CSD comprises seven elementary schools, one middle school,

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<sup>3</sup> *City Schools of Decatur*, <https://www.csdecatur.net/> (last visited June 23, 2026).

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one high school, and one early childhood learning center.<sup>4</sup> During the 2024–25 school year, these CSD schools enrolled 5,764 students.<sup>5</sup> CSD is a recipient of federal funding and is thus bound by Title IX’s prohibition against discrimination on the basis of sex.<sup>6</sup>

In light of these obligations under federal civil rights law, in January 2023, the City Schools of Decatur Board of Education (“CSD Board of Education”) adopted Policy JAA, entitled “Equal Educational Opportunities,” declaring that the school district “does not discriminate on the basis of race, color or national origin [or] sex . . . in any student program or activity,” and that “[i]t is the policy of the Board of Education to comply fully with the requirements of Title VI, Title IX, . . . and all accompanying regulations.”<sup>7</sup> Policy JAA does not include the term “gender identity” and does not expressly prohibit discrimination on that basis.<sup>8</sup>

### *CSD Regulation JAA-R(2)*

CSD implements Policy JAA through two regulations, Regulations JAA-R(1) and JAA-R(2), both entitled “Equal Educational Opportunities.”<sup>9</sup> Regulation JAA-R(2) describes the policies and

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<sup>4</sup> *Schools*, CITY SCHS. OF DECATUR, <https://www.csdecatur.net/schools> (last visited June 23, 2026).

<sup>5</sup> *Total Student Enrollment*, CITY SCHS. OF DECATUR, <https://www.csdecatur.net/our-district-5f/overview/district-data/total-student-enrollment-dashboard> (last visited June 23, 2026).

<sup>6</sup> *See* 20 U.S.C. § 1681; 34 C.F.R. § 106.2 (defining a “recipient” to include “any State or political subdivision thereof, or any instrumentality of a State or political subdivision thereof [or] any public or private agency, institution, or organization . . . to whom Federal financial assistance is extended . . . and which operates an education program or activity which receives such assistance”); 34 C.F.R. § 106.31(a)(1) (generally prohibiting discrimination on the basis of sex in education programs and activities operated by recipients); *Frequently Asked Questions: Sex Discrimination*, U.S. DEP’T OF EDUC., <https://www.ed.gov/laws-and-policy/civil-rights-laws/frequently-asked-questions-sex-discrimination> (last visited June 23, 2026) (“All public school districts are covered by Title IX because they receive some federal financial assistance and operate education programs.”).

<sup>7</sup> CITY SCHS. OF DECATUR, BOARD POLICY JAA: EQUAL EDUCATIONAL OPPORTUNITIES (revised 2025),

<https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=4052&revid=2dI8rssBKTh08BZjSRaCaQ==&ptid=amIgTZiB9plushNjl6WXhfiOQ==&secid=p6v70fD4K8ukRv6vtplusTtSg==&PG=6&IRP=0&isPndg=false>. The CSD Board of Education most recently updated the policy on April 15, 2025. *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> CITY SCHS. OF DECATUR, REGULATION JAA-R(1): EQUAL EDUCATIONAL OPPORTUNITIES (revised 2025),

<https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=4052&revid=Mxfg2hRdRaMNW0SbcyzjHg==&ptid=amIgTZiB9plushNjl6WXhfiOQ==&secid=p6v70fD4K8ukRv6vtplusTtSg=>



practices of the school district related to “gender identity.” CSD adopted the regulation on October 10, 2023, and Dr. Lillie Huddleston, who at that time served as CSD’s Associate Superintendent of Equity and Student Services, presented it to the CSD Board of Education on the same day.<sup>10</sup>

During her presentation, Dr. Huddleston explained that a key purpose of Regulation JAA-R(2) was to require “equitable access to extracurricular athletics, activities, clubs, and aftercare opportunities . . . .”<sup>11</sup> She said that the regulation “establishes the expectation that all staff use students’ preferred names and pronouns” and “affirms that students should be allowed to access facilities and accommodations consistent with their gender identity asserted at school.”<sup>12</sup> According to Dr. Huddleston’s interpretation of the policy, “[s]tudents should be allowed to participate in activities in accordance with their gender asserted at school unless prohibited by state regulation, such as those put forth by the Georgia High School Association, which applies to most . . . some school activities.”<sup>13</sup> Importantly, one of the Powerpoint slides Dr. Huddleston used in her presentation incorrectly asserts that “Title IX includes . . . gender identity.”<sup>14</sup>

CSD most recently revised Regulation JAA-R(2) on April 21, 2025. In its current form, the regulation “prohibits, at any district site or school activity, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student’s sex, gender identity, or sexual orientation; the perception of one or more of such characteristics; or association with a person or

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[=&PG=6&IRP=0&isPndg=false](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=4052&revid=PodJK1swslshN6IxdBFN9B0LA==&ptid=amIgtZiB9plushNjl6WXhfiOQ==&secid=p6v70fD4K8ukRv6vtplusTtSg==&PG=6&IRP=0&isPndg=false); CITY SCHS. OF DECATUR, REGULATION JAA-R(2): EQUAL EDUCATIONAL OPPORTUNITIES (revised 2025), <https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=4052&revid=PodJK1swslshN6IxdBFN9B0LA==&ptid=amIgtZiB9plushNjl6WXhfiOQ==&secid=p6v70fD4K8ukRv6vtplusTtSg==&PG=6&IRP=0&isPndg=false>.

<sup>10</sup> *Work Session: 10/10/2023—04:00 PM, i. Regulation JAA-R(2)—Equal Educational Opportunities*, CITY SCHS. OF DECATUR,

[https://simbli.eboardsolutions.com/SB\\_Meetings/ViewMeeting.aspx?S=4052&MID=113098&Tab=Agenda&enIID=Vya7NdrvdvI18mmznOkUUA%3D%3D](https://simbli.eboardsolutions.com/SB_Meetings/ViewMeeting.aspx?S=4052&MID=113098&Tab=Agenda&enIID=Vya7NdrvdvI18mmznOkUUA%3D%3D); CITY SCHS. OF DECATUR, EQUAL EDUCATIONAL OPPORTUNITIES, JAA-R(2),

<https://simbli.eboardsolutions.com/Meetings/Attachment.aspx?S=4052&AID=1567570&MID=113098> (presentation of Dr. Lillie Huddleston, Associate Superintendent of Equity and Student Services to CSD Board of Education on October 10, 2023) [hereinafter Huddleston Presentation].

<sup>11</sup> Huddleston Presentation, *supra* note 10, at 2.

<sup>12</sup> CITY SCHS. OF DECATUR, *October 10, 2023, Board of Education Meeting*, at 01:47:51 (YouTube, Oct. 13, 2023),

[https://www.youtube.com/watch?v=ctDw9\\_Rco\\_o&list=PLtkZsZ9W0py0HiDpxYZHIVRTRduqlCXPQ&index=27](https://www.youtube.com/watch?v=ctDw9_Rco_o&list=PLtkZsZ9W0py0HiDpxYZHIVRTRduqlCXPQ&index=27).

<sup>13</sup> Huddleston Presentation, *supra* note 10, at 2.

<sup>14</sup> *Id.* at 3.



group with one or more of these or perceived characteristics.”<sup>15</sup> The regulation declares that “CSD strives to assist in the educational and social integration and development of all students regardless of sex, gender identity, or sexual orientation.”<sup>16</sup>

Regulation JAA-R(2) maintains that “[e]mployees, volunteers, students, and others who interact with students are expected to be sensitive to the ways in which particular students may wish to be identified.”<sup>17</sup> Consistent with this expectation, the regulation states that “[f]aculty and staff are expected to address students by the name and pronoun corresponding to their gender identity as asserted at school.”<sup>18</sup> Although the regulation exempts the inadvertent or unintentional failure to comply with this expectation from disciplinary action, it explains that “multiple violations may constitute intent” resulting in discipline.<sup>19</sup>

“[T]o assist in discussing and addressing the needs of students,” the regulation includes the following definitions:

- *Gender Expansive*—An adjective describing a person with a wider, more flexible range of gender identity and/or expression than typically associated with the binary gender system.. [sic]
- *Gender Expression*—How a person expresses [his or her] gender through outward presentation and behavior.
- *Gender Identity*—A personal, deeply-felt, sincere sense of being male, female, both, or neither.
- *Sex*—A label of “male” or “female” assigned at birth based on physical attributes and characteristics. . . .
- *Transgender*—An adjective describing a person whose gender identity differs from [his or her] sex assigned at birth.<sup>20</sup>

The regulation declares that “CSD will accept a student’s assertion of [his or her] gender identity when there is a consistent assertion of gender identity or other evidence that the student’s gender

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<sup>15</sup> REGULATION JAA-R(2), *supra* note 9.

<sup>16</sup> *Id.*

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

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*



identity is sincerely held as a part of [his or her] core identity.”<sup>21</sup> In the case that school staff “have a credible and objective reason to believe that a student is insincerely asserting a transgender or gender expansive identity,” Regulation JAA-R(2) allows them to require additional evidence that the identity is sincere, including documentation from a healthcare provider, counselor, or social worker; “[f]amilial documents” such as photographs or parent statements; or “[a] statement from any other adult who is familiar with the student and can speak to the student’s gender identity.”<sup>22</sup> The regulation fails to explain what might count as such a “credible and objective reason” to doubt a student’s sincerity in asserting his or her “transgender” or “gender expansive” status in light of the maximally subjective definition of “gender identity” set out just above as a “personal, deeply-felt” phenomenon.

Regulation JAA-R(2) contains the following requirement regarding access to sex-separated intimate facilities:

*Students will be permitted to use restrooms, locker rooms, and changing facilities corresponding to the gender identity the student asserts at school. A student approved to use school facilities in accordance with [his or her] gender identity is required to use only those facilities made available to others of that gender identity. A school should endeavor to provide reasonable alternative facilities for any student, upon request, such as a separate stall or a staff facility in accordance with a student request for greater privacy. All district shower facilities shall be private and for individual use. Showers shall be considered private and for individual use if they include, at a minimum, an enclosed space for a single person that accommodates undressing, showering, and dressing, with a means to prevent visibility from outside that space to inside that space, with an appropriate means to secure entry to the space from the inside.*<sup>23</sup>

For field trips, Regulation JAA-R(2) requires school staff to allow “[t]ransgender and gender expansive students . . . to participate in accordance with their gender identity that is asserted at school.”<sup>24</sup> It instructs staff to address student privacy needs on overnight field trips “on a case-by-case basis,” including “a reasonable effort to provide available and reasonable accommodation for the student to address any such concerns.”<sup>25</sup>

Regarding interscholastic athletics and activities, Regulation JAA-R(2) explains that CSD will comply with the rules of the Georgia High School Association; however, “[w]here other gender-

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<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*



segregated activities exist, students should be able to participate in accordance with the gender identity asserted at school.”<sup>26</sup>

### ***CSD Policies and Resources on Racial Equity and CRT***

#### *CSD Board of Education Policies*

CSD is a recipient of federal funding and is thus bound by Title VI’s prohibition of discrimination on the basis of race, color, or national origin.<sup>27</sup>

In October 2022, the CSD Board of Education adopted Policy BAB, entitled “School Board Governance,” containing its “agreed-upon Theory of Action for the purpose of creating and sustaining learning environments in each classroom that achieve exceptional and equitable outcomes for students.”<sup>28</sup> As CSD explains in this policy:

*Through CSD’s Theory of Action, the Board will drive goals, policies, strategic planning, and budget development aimed at ensuring improved and equitable outcomes for all students. It is designed to encourage ideation and community conversation around the core business of City Schools of Decatur, and to serve as the Board of Education’s commitment to ensuring every student has access to the highest quality education possible.*<sup>29</sup>

The school district declares that its “Theory of Action begins with rigorous academic standards that serve to elevate marginalized voices.”<sup>30</sup> It also includes an “Instructional Framework” that “identifies the Core Practices for Equity: Critical Literacy and Numeracy, Culturally Responsive

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<sup>26</sup> *Id.*

<sup>27</sup> See 42 U.S.C. § 200d-4a(2)(B) (defining the term “program or activity” and the term “program” to include the operations of “a local educational agency . . . , system of vocational education, or other school system” to which federal financial assistance is extended); *Frequently Asked Questions: Race, Color, and National Origin Discrimination*, U.S. DEP’T OF EDUC., <https://www.ed.gov/laws-and-policy/civil-rights-laws/race-color-and-national-origin-discrimination/frequently-asked-questions-race-color-and-national-origin-discrimination> (last visited June 23, 2026) (“All public school districts are covered by Title VI because they receive some federal financial assistance.”).

<sup>28</sup> CITY SCHS. OF DECATUR, BOARD POLICY BAB: SCHOOL BOARD GOVERNANCE (adopted 2022), <https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=4052&revid=L9kCciwn2E9zMtAbKE9zaA==&ptid=amIgtZiB9plushNj16WXhfiOQ==&secid=zxfvZYmcKkpluslhKHfzD4ftFA=&PG=6&IRP=0&isPndg=false>.

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*



Teaching (Do-4 Framework), and Formative Assessment.”<sup>31</sup> Pursuant to the Theory of Action, CSD pursues “equitable student achievement,” which Policy BAB defines “as achievement scores that have proportionate representation from each student group in the various achievement levels as defined by each assessment.”<sup>32</sup> The policy “pledges that teachers and students will have equitable access to aligned core resources.”<sup>33</sup>

Policy BAB describes the goal of the CSD Board of Education “that school leaders be provided with guidance and continuous professional development to lead instruction, operations, and school improvement efforts consistent with the aligned system of standards, accountability, and empowerment to ensure exceptional and equitable student outcomes are attained[.]”<sup>34</sup> It states that “[e]ach staff member will be evaluated based on the standards set forth by the Board through the appropriate evaluation tool, which includes a professional goal that identifies measurable student outcomes and/or Key Performance Indicators to be achieved each year.”<sup>35</sup> The policy places the CSD superintendent in charge of implementing the Theory of Action it describes:

*The Superintendent is responsible for communicating, implementing, and monitoring the details of CSD’s Theory of Action. The Board expects the Superintendent to align all systems, policies, practices, and budgets to operationalize CSD’s Theory of Action through the implementation of the strategic plan, the district improvement plan, and school improvement plans.*<sup>36</sup>

The CSD Board of Education adopted Policy BAC, entitled “Equity,” in November 2023.<sup>37</sup> That policy explains that CSD “engages equity as both an outcome and an intentional process designed to achieve fair and just access to opportunity and resources that provide all humans the ability to thrive; the Board will take active measures to evaluate, resource, and ensure such outcomes for every student.”<sup>38</sup>

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<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

<sup>35</sup> *Id.*

<sup>36</sup> *Id.*

<sup>37</sup> CITY SCHS. OF DECATUR, BOARD POLICY BAC: EQUITY (adopted 2023), <https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=4052&revid=5Y5CSkvnsIshq0vTawwseAEsA==&ptid=amIgtZiB9plushNj16WXhfiOQ==&secid=zxfvZYmcKkpluslhKHxD4ftFA==&PG=6&IRP=0&isPndg=false>.

<sup>38</sup> *Id.*



The policy describes “equity as both an outcome and a process.” Outcome-based equity—as described just above—“results in fair and just access to opportunity and resources that provide all humans the ability to thrive.”<sup>39</sup> Process-based equity consists of the following actions:

1. *intentionally and methodically evaluat[ing] benefits and burdens produced by neutral systems and practices;*
2. *engag[ing] those most impacted by the problems as experts in their own experiences, strategists in co-creating solutions and evaluators of success, and*
3. *engag[ing] in intentional action that ensures access, resources, and opportunities for individuals with the greatest need.*<sup>40</sup>

Through Policy BAC, the CSD Board of Education “acknowledges the importance and intersectionality of multiple forms of social inequalities and oppression, including but not limited to race, gender, gender identity and expression, sexual orientation, socioeconomic status, religion, national origin, linguistic ability, physical ability, and learning differences.”<sup>41</sup> The policy commits CSD “to identifying and addressing all disparities in educational outcomes through universal design that targets areas for intervention to improve outcomes and opportunities for all students.”<sup>42</sup>

Policy BAC requires CSD to “take active measures to ensure that all employees . . . continuously raise the level of achievement for all students while eliminating academic disparities; . . . identify and aggressively address inequities in access to opportunities/opportunity gaps; . . . actively recruit, support, and retain a diverse workforce by using an equitable hiring tool; . . . participate in district-approved, annual, and ongoing multicultural professional development for administrators, teachers, and staff to strengthen employee knowledge, skills, and abilities to eliminate disparities in achievement, course and program placement, and discipline[;] . . . consistently review and evaluate existing policies, programs, professional development, and procedures annual to ensure equity through the use of an equity analysis tool[;] . . . develop all new policies, programs, and procedures with the aid of a racial equity analysis tool[; and] . . . equitably allocate sufficient resources to accomplish these goals,” among other actions.<sup>43</sup>

Policy BAC declares that CSD “shall actively model its commitment to equity by aligning all processes and procedures to applicable law and the district’s Definition of Equity, including but

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<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*



not limited to . . . [d]ecision-making at every level[.]”<sup>44</sup> The policy requires the CSD superintendent “to enforce this policy, create regulations and practices to implement this policy, and develop an Equity Plan to clarify policy implementation expectations.”<sup>45</sup> It states that “performance metrics will be used to measure progress.”<sup>46</sup>

Prior to its adoption, at a meeting on September 12, 2023, the CSD Board of Education considered a draft version of Policy BAC<sup>47</sup> that included extensive proposed revisions demonstrating an attempt to sanitize the document by deleting numerous references to race and particularly to systemic racism that the document characterizes as persisting in CSD.<sup>48</sup> For instance, the document indicates that Policy BAC’s original “Policy Statement” began with the following clause (ultimately removed): “With full awareness of the present and historical inequality that persists in our society . . . .”<sup>49</sup>

Policy BAC as initially proposed would require that the district engage in “intentional action that *prioritizes* access, resources, and opportunities for *groups* with the greatest need”; as shown previously, a reviewer successfully proposed to change that language to “intentional action that *ensures* access, resources, and opportunities for *individuals* with the greatest need.”<sup>50</sup>

Original Policy BAC included a lengthy call to action regarding the scourge of systemic racism in CSD:

*In CSD, we acknowledge that racial disparities exist because of historical inequitable access to educational opportunities that has a profound intergenerational impact and has perpetuated economic, social, and educational inequity in communities of color. As a District, we believe these disparities are unacceptable and contradict our belief that all students can achieve. Racial inequities have been created and perpetuated over time and can be eliminated. Similarly, personal prejudice is learned and can be unlearned. Creating, ignoring,*

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<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> *Pre-Work Session: 09/12/2023—04:00 PM, CITY SCHS. OF DECATUR*, [https://simbli.eboardsolutions.com/SB\\_Meetings/ViewMeeting.aspx?S=4052&MID=112227](https://simbli.eboardsolutions.com/SB_Meetings/ViewMeeting.aspx?S=4052&MID=112227).

<sup>48</sup> BOARD POLICY BAC: EQUITY (DRAFT), <https://simbli.eboardsolutions.com/Meetings/DownloadPolicyPDF.aspx?S=NiDslshMTDL3UOY25CEaAgyqw==&AttachmentID=6CfZsZeOrwZMkGP4qyOALg==&IID=kTC8IVBPvpvt149uYb47Qg==> [hereinafter DRAFT BOARD POLICY BAC] (considered at a pre-work session of the CSD Board of Education on September 12, 2023).

<sup>49</sup> *Id.* at 1.

<sup>50</sup> *Id.*



*or perpetuating these and other such inequities that impact students, faculty, and staff is racial misconduct. By way of this policy and procedure, the CSD School Board and the District are committed to understanding and interrupting institutional and bias patterns at all levels of the organization, whether conscious or unconscious, that exacerbate our education debt and induce disproportionately adverse outcomes, most notably for historically marginalized students. While the primary focus of our equity policy is on race . . . .*<sup>51</sup>

The document continues by listing a number of characteristics identified *supra*<sup>52</sup> on the basis of which the policy states there have been “multiple forms of social inequalities and oppression.”<sup>53</sup>

Policy BAC as originally proposed would require administrators, teachers, and staff to participate in “anti-racist” professional development; the draft document successfully proposes deleting that term.<sup>54</sup> In multiple instances, it also successfully proposes to remove the word “racial” from “racial equity” and “racial equity analysis tool.”<sup>55</sup>

Finally, the original Policy BAC contained a “Definitions” section that, before it was fully deleted aside from two links to external resources, said the following:

- *Anti-Racist—someone who supports policies that interrupt inequitable systematic and institutional practices through their actions. (Ibram X. Kendi, How to Be An Antiracist, Random House, 2019)*
- *Disproportionality—the “overrepresentation” and “under-representation” of a particular population or demographic group relative to the overall student population. (National Association for Bilingual Education, 2002)*
- *Education Debt—the cumulative impact of fewer resources and other harm directed at students who have been historically marginalized, as represented in CSD data. This debt is not only financial but also historical, sociopolitical, and moral. (Gloria Ladson Billings, NEPC) . . .*
- *Educational Equity—public schools should provide equitable access and ensure that all students have the knowledge and skills to succeed as contributing*

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<sup>51</sup> *Id.*

<sup>52</sup> *Supra* note 41.

<sup>53</sup> DRAFT BOARD POLICY BAC, *supra* note 48, at 1.

<sup>54</sup> *Id.*

<sup>55</sup> *Id.* at 2.



*members of a rapidly changing, global society, regardless of factors such as race, gender, sexual orientation, ethnic background, English proficiency, immigration status, socioeconomic status, or disability. (NSBA Beliefs and Policies . . . )*

- *Race—A social construct that artificially divides people into distinct groups based on characteristics such as physical appearance (particularly color), ancestral heritage, cultural affiliation, cultural history, ethnic classification, and the social, economic, and political needs of a society at a given period of time. Racial categories subsume ethnic groups. (Source: Maurianne Adams, Lee Anne Bell, and Pat Griffin, editors. *Teaching for Diversity and Social Justice: A Sourcebook*. New York: Routledge.)<sup>56</sup>*

At a subsequent meeting, a member of the school board indicated that the revisions were advised by the board’s attorney.<sup>57</sup>

At the meeting where they considered these changes to Policy BAC, multiple statements of CSD Board of Education members cast substantial doubt on any contention that the board expected that these revisions would change how the school district actually implemented the policy, and that their primary purpose was to deflect the state of Georgia’s attention from the original references to “race” and systemic racism in the policy:

- *The context for some of these changes, if we’re going to be talking publicly about it, . . . is that we need to be able to comport to state law without creating a target on ourselves, but we also have to be able to reflect the values and wishes of the community, which are very clear on this particular topic . . . . We’ll be looking at differential outcomes, we will be executing against differential outcomes, and we will be closing those gaps that we have so consistently seen in our data.<sup>58</sup>*
- *[T]hat is exactly what that means: . . . [u]nderstanding that we will be able to not only look at our budget and our resources that we aligned but also ultimately that*

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<sup>56</sup> *Id.*

<sup>57</sup> CITY SCHS. OF DECATUR, *November 19, 2024, Board of Education Retreat*, at 04:28:46 (YouTube, Nov. 21, 2024), <https://www.youtube.com/watch?v=2KL7O4dxQ0E> [hereinafter *Board of Education Retreat*].

<sup>58</sup> CITY SCHS. OF DECATUR, *September 12, 2023, Board of Education Meeting*, at 34:49 (YouTube, Oct. 13, 2023), <https://www.youtube.com/watch?v=32Mv3XT0uEA&list=PLtkZsZ9W0py0HiDpxYZHIVRTRduqLCXPQ&index=28>.



*it is not . . . race, ethnicity, or any other indicator would be the reason why the student does or does not succeed . . .*<sup>59</sup>

- *The redline change is not a reflection of our commitment to the core values. . . . [S]ome of it has to do with the language of it so that we can be in compliance with the state, but it's not because we had put it on the backburner, that we weren't committed, or that we had decided that it wasn't important . . . or that we can prioritize other things, but that was not the core issue. It was more or less that we had to make sure that we were able to put something out there that we could sustain . . .*<sup>60</sup>
- *And very specifically how do we be aggressive as we possibly can through our policy on this particular point but without bringing the state into this, right? Because if anything it's a demonstration of our commitment to this that it took us as long as it did to actually get it right so we can be comfortable . . .*<sup>61</sup>
- *So the thing that we have all, as five members of board, been universally in agreement about is we want to communicate to the staff and the community . . . that we will do all we can for an equitable system that eliminates disparities where they are identified and that has been and will continue to be our priority.*<sup>62</sup>
- *[Inaudible] speak to some of the things we know we must do now in the state of Georgia based upon law, and we are going to be compliant but at the same time ensure that we do have equity where these schools of Decatur all truly means all.*<sup>63</sup>

*District Plan: "All In Decatur"*

The CSD Board of Education includes among its publications a "District Plan" entitled "All In Decatur."<sup>64</sup> According to a summary, "All In Decatur" is CSD's "five-year strategic plan to bring out the best in our students, educators, families, and city through outstanding, inclusive public education."<sup>65</sup> Despite this nod to inclusivity, the summary then declares, "When we say ALL, we

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<sup>59</sup> *Id.* at 35:51

<sup>60</sup> *Id.* at 37:28.

<sup>61</sup> *Id.* at 38:21.

<sup>62</sup> *Id.* at 39:26.

<sup>63</sup> *Id.* at 40:27.

<sup>64</sup> CITY SCHS. OF DECATUR, ALL IN DECATUR: 07/01/2023–06/30/2028, SUMMARY, <https://simbli.eboardsolutions.com/Planning/PlanView.aspx?S=4052&pid=GCQ0TXPplusjwaD0YAQTP8uA%3D%3D&Tab=0>.

<sup>65</sup> *Id.* at 1.



mean ALL, with a deliberate focus on investing in students of color who have been historically marginalized the most.”<sup>66</sup> The summary promises to “improve opportunities, access, and classroom environments so all scholars can achieve high academic results, equitable representation in advanced classes, and equitable discipline outcomes.”<sup>67</sup> The summary states that CSD “[w]eaves equity into the fabric of everything we do.”<sup>68</sup>

Accordingly, the executive summary of All In Decatur’s Strategic Plan Objectives, published by CSD’s Project Management Office and last updated in May 2025, contains multiple objectives and progress assessments related to race.<sup>69</sup> The document identifies one objective as “[c]los[ing] the achievement gap of our students who have been traditionally marginalized.”<sup>70</sup> It says that the scope of the project is to “[e]liminate achievement gaps by focusing on effective leadership in addressing disparities in academic performance among different student groups, particularly those traditionally marginalized . . . .”<sup>71</sup> The document identifies the estimated cost of achieving that objective as \$500,000 and a target completion date of June 30, 2028.<sup>72</sup> It lists as a “Key Performance Indicator [‘KPI’] . . . CCRPI Content Mastery by Subject Area (Math, ELA, American Literature, Algebra, Biology, & US History) for African American Students & Economically Disadvantaged Students.”<sup>73</sup> It lists as a “Major Milestone” that has been completed as of July 2024 “creat[ing] structured, equitable learning environments that support student success, particularly for marginalized communities.”<sup>74</sup>

The executive summary also identifies as a CSD objective “[a]mplify[ing] student voice, especially those [sic] of traditionally marginalized groups.”<sup>75</sup> The document states that the scope of that project is to “[l]aunch student Board of Education representative/apprentice and facilitate other opportunities to amplify the diverse range of needs, interests, perspectives, and ideas of the broader CSD student body, [sic] when making district decisions.”<sup>76</sup> The summary indicates that

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<sup>66</sup> *Id.* (emphasis added).

<sup>67</sup> *Id.* (emphasis in original).

<sup>68</sup> *Id.*

<sup>69</sup> CITY SCHS. OF DECATUR PROJECT MGMT. OFF., 2023–2028 ALL IN DECATUR STRATEGIC PLAN OBJECTIVES EXECUTIVE SUMMARY (updated May 2025), <https://simbli.eboardsolutions.com/Planning/PlanSummaryAttachment.aspx?S=4052&aid=slshOMR2ExLkgExSbgNqZDukA==>.

<sup>70</sup> *Id.* at 7.

<sup>71</sup> *Id.*

<sup>72</sup> *Id.*

<sup>73</sup> *Id.*

<sup>74</sup> *Id.*

<sup>75</sup> *Id.* at 9.

<sup>76</sup> *Id.*



CSD met its target completion date of August 2024 to “[e]lect and swear in the first-ever student representative and apprentice to the CSD Board of Education.”<sup>77</sup>

In order to track its progress in fulfilling the objective identified *supra* of “[c]los[ing] the achievement gap of our students who have been traditionally marginalized,” CSD has published metrics regarding “Student Achievement” that contain the following categories (with the same categories for “Economically Disadvantaged” subgroups):

- *CCRPI Content Mastery Elementary ELA – Black Subgroup*
- *CCRPI Content Mastery Elementary Math – Black Subgroup*
- *CCRPI Content Mastery Middle School ELA – Black Subgroup*
- *CCRPI Content Mastery Middle School Math – Black Subgroup*
- *CCRPI Content Mastery Algebra – Black Subgroup*
- *CCRPI Content Mastery American Lit – Black Subgroup*
- *CCRPI Content Mastery Biology – Black Subgroup*
- *CCRPI Content Mastery US History – Black Subgroup*<sup>78</sup>

#### *History of CSD’s Racial Equity Policies and Practices*

As of November 10, 2024, the CSD website’s page for the school district’s Deputy Superintendent identified that office as housing a “Department of Equity and Professional Learning” and identified “mari ann banks, ph.d.” as CSD’s Director of Equity.<sup>79</sup> At that time, the Deputy Superintendent’s webpage provided two links from the term “Equity” to a website titled “Equity @ CSD” (“CSD Equity Website”) whose URL is <https://equity.csdecatur.net>.<sup>80</sup> Presently, the Deputy Superintendent’s webpage does not refer to any Department of Equity and Professional Learning or equity director.<sup>81</sup>

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<sup>77</sup> *Id.*

<sup>78</sup> CITY SCHS. OF DECATUR, ALL IN DECATUR: 07/01/2023–06/30/2028, KPIs, <https://simbli.eboardsolutions.com/Planning/PlanView.aspx?S=4052&pid=GCQ0TXPfplusjwaD0YAQTP8uA%3D%3D&Tab=2>.

<sup>79</sup> *Office of the Deputy Superintendent*, CITY SCHS. OF DECATUR, <https://web.archive.org/web/20241110155507/https://www.csdecatur.net/Page/5354> (archived by Way Back Machine on November 10, 2024).

<sup>80</sup> *Id.*; *Equity @ CSD*, CITY SCHS. OF DECATUR, <https://web.archive.org/web/20241110160723/https://equity.csdecatur.net/> (archived by Way Back Machine on November 10, 2024) [hereinafter “*Equity @ CSD*”].

<sup>81</sup> *Deputy Superintendent*, CITY SCHS. OF DECATUR, <https://www.csdecatur.net/our-district-5f/departments/office-of-the-superintendent/deputy-superintendent> (last visited June 23, 2026).



The webpage also links to a webpage entitled “Equity” that is far less extensive than the “Equity” resources that were available on the CSD website on November 10, 2024. Presently, visiting the latter “Equity” webpage results in an error message indicating (in the latest version of the Google Chrome browser) that the website “can’t provide a secure connection” and “uses an unsupported protocol.” But the internet archive resource WayBack Machine archived that previous, more-extensive version of the “Equity” webpage 43 times between March 5, 2021, and February 10, 2025<sup>82</sup>—three weeks after the inauguration of President Donald J. Trump. When it refers to the CSD Equity Website, unless otherwise noted, this complaint refers to the version of the website archived by the WayBack Machine in early 2025.

According to the CSD Equity Website as of January 2025, CSD created its office of equity in fall 2017.<sup>83</sup> After a consultant assessment that, according to CSD, “revealed inequitable outcomes for Black students over three years in relation to behavioral incidents, gifted programs, and academic achievement,” CSD “committed to placing an increased focus on this issue and providing dedicated resources to fuel CSD’s progress toward paying our education debt to students of color.”<sup>84</sup>

CSD launched an equity department in 2018, when “groups of certified staff, administrators, community members, and Board members, [sic] began learning about the proactive usage of Courageous Conversations About Race’s tools and protocol [discussed *infra*], and the adaptive process needed to effect systemic District change.”<sup>85</sup> CSD hosted approximately 20 sessions of CCAR’s foundational seminar, and “from 2017–2020, roughly 850 teachers, support staff members, parents, community partners, all CSD Board members, and teachers new to the district, [sic] participated in” that training, called “Beyond Diversity.”<sup>86</sup>

In 2018, CSD developed an “Equity Action Plan (EAP) . . . to eliminate predictable patterns of academic achievement based on subgroup membership” by engaging in three broad practices.

- First, CSD focused on “Normaliz[ing] Racial Equity,” which means requiring teachers and staff to “develop cultural humility[,] i.e.[,] the ability to recognize how their ethnocentrism and cultural backgrounds shape their work with students whose background differ from theirs” and by “promoting racial and cross-racial affinity

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<sup>82</sup> *Equity @ CSD*, *supra* note 80.

<sup>83</sup> *A Brief History of Our Equity Work*, CITY SCHS. OF DECATUR, <https://web.archive.org/web/20241204025031/https://equity.csdecatur.net/how-did-csd-get-here> (archived by Way Back Machine on December 4, 2024).

<sup>84</sup> *Id.*

<sup>85</sup> *Id.*

<sup>86</sup> *Id.*



groups for staff and students . . . and conducting cross-district study circles and professional development that promote racial awareness and healing.”<sup>87</sup>

- Second, CSD worked to “organize district infrastructure for racial equity,” including by requiring educators to “recognize that many aspects of curriculum and instruction are historically based in Eurocentric principles and content . . . and build the organizational capacity, skills, and competencies to decolonize curriculum and praxis, diversifying content to perpetuate a just, humane, and democratic society that enables all students to be safe, seen, and successful.”<sup>88</sup>
- Third, CSD focused on “operationalizing equitable, high-leverage policy and procedures,” including through “equitable and accountable policies and practices of our education system and appropriate resource allocation,” as well as implementing “restorative practices and Code of Conduct revision [sic] to encourage equitable disciplinary outcomes, strengthen[ing] recruitment and retention efforts to increase and retain staff members with diverse backgrounds across all roles,” and “review[ing] and revis[ing] school, district, and board practices and procedures to ensure equitable outcomes.”<sup>89</sup>

In fall 2018, CSD launched “equity teams” in its schools, consisting of eight to ten “self-identified, racial equity leaders who have completed the Beyond Diversity seminar and feel a strong commitment to being school leaders and active partners in the elimination of systemic racism across our District.”<sup>90</sup> According to the CSD Equity Website:

*Equity Teams participate in professional development activities designed to develop and guide the implementation of our Equity Action Plan, and, in turn, implement professional development for their school’s colleagues. These groups have investigated and conducted PD regarding many topics such as systemic racism, intersectionality, and culturally responsive education.*<sup>91</sup>

CSD describes members of these school teams as “teachers and administrators who work collectively in schools to eliminate systemic racism (and other ‘isms’) in CSD” who, among other activities, “teach their colleagues more about being culturally-responsive educators . . . and inspire equitable outcomes for all students, particularly students [i.e., based on racial grouping] who are

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<sup>87</sup> *Id.*

<sup>88</sup> *Id.*

<sup>89</sup> *Id.*

<sup>90</sup> *Id.*

<sup>91</sup> *Id.*



experiencing disproportionately adverse academic and discipline outcomes.”<sup>92</sup> These team members “commit to being anti-racist, providing and supporting professional development re[garding] equity, having and encouraging hard conversations, & educating students and caretakers in our schools re[garding] equity.”<sup>93</sup>

Also in 2018, CSD supplemented these school-based teams with a “District Equity Leadership Team” (“DELT”) comprising CSD’s superintendent, cabinet members, and department directors, as well as a “Leaders Engaged in Equity Anti-Racism Development” (“LEADS”) team with district-level coordinators and principals representing all CSD schools.<sup>94</sup> Another page on the CSD Equity Website refers to the school district-wide team as the “Wilson Center E-Team,” which “includes central office staff who work to examine their personal prejudices, volunteer their time to fight against all ‘isms,’ and serve as equity leaders responsible for executing CSD’s Equity Action Plan at the Wilson Center [CSD’s central office<sup>95</sup>].”<sup>96</sup> These team members “recognize the deleterious effects of systemic racism and inequity in CSD and embrace their role as guarantors of our District’s equity work,” and “[t]hey commit to supporting CSD staff as we all work toward system change, being anti-racist, paying CSD’s education debt, and delivering equitable outcomes for all CSD students and staff.”<sup>97</sup> District E-Team members “acknowledge the grave nature of their role as the foremost leaders of CSD’s equity work.”<sup>98</sup>

The school- and district-based “E-Teams” have, since 2018, “continued to participate in and conduct ongoing professional development activities that strive to assist CSD administrators, faculty, and staff as we deepen our understanding of institutionalized racism, acknowledge its impact on student learning, and examine how we play a more effective role in its elimination.”<sup>99</sup>

### *“Decolonizing” the Curriculum*

In June 2021, CSD’s then-Superintendent Dr. Maggie Fehrman and others submitted a letter to the Georgia State Board of Education and the Georgia State Superintendent of Schools decrying the

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<sup>92</sup> *Equity Teams*, CITY SCHS. OF DECATUR, <https://web.archive.org/web/20250123140408/https://equity.csdecatur.net/what-is-csds-equity-plan/district-and-school-equity-teams> (archived by Way Back Machine on January 23, 2025).

<sup>93</sup> *Id.*

<sup>94</sup> *A Brief History of Our Equity Work*, *supra* note 83.

<sup>95</sup> *Elizabeth Wilson School Support Center*, CITY SCHS. OF DECATUR, <https://www.csdecatur.net/our-district-5f/overview/elizabeth-wilson-school-support-center> (last visited June 23, 2026).

<sup>96</sup> *Equity Teams*, *supra* note 92.

<sup>97</sup> *Id.*

<sup>98</sup> *Id.*

<sup>99</sup> *A Brief History of Our Equity Work*, *supra* note 83.



State Board’s “misguided and ill-informed June 3 resolution” seeking to rid Georgia public-school classrooms of CRT and other curricula that promote unlawful discrimination.<sup>100</sup> According to the letter:

*Advancing Racial Equity is a core pillar of our district improvement plan. We know saying “racism is intolerable” is not enough, and we know we must actively engage in anti-racist actions if we are to progress in our schools, our city, and our country. We have undertaken this work with overwhelming community support. This is what local control looks like—and this is what the State Board’s proposed resolution undermines. This resolution undermines the GaDOE’s own efforts to support LEAs in eliminating equity gaps and adopting impactful equity initiatives.*<sup>101</sup>

In response to the State Board’s resolution, Superintendent Fehrman and others pledged that “CSD will not remain silent. Despite our strong work toward eradicating racist outcomes, we also acknowledge that the stubborn specter of disproportionate outcomes and other manifestations of racism continue to loom over our efforts. We are committed to our efforts. We are responsible for nurturing anti-racist learning environments where each and every child is respected and valued for who they are regardless of skin color, gender, sexual identity or orientation, ability or disability, or any other marginalized category.”<sup>102</sup> In the face of the resolution, CSD “will further our efforts toward anti-racist leadership and fostering inclusive educational environments.”<sup>103</sup>

Consistent with this focus on “anti-racist” schools, in September 2021, CSD’s equity director Mari Ann Banks described in detail during a presentation to the CSD school board administrators’ efforts to implement racial-equity ideology in the district. According to Banks, “normalizing” equity within the district means practicing “cultural humility,” which she described as being “aware of and sensitive to historic realities . . . and be[ing] knowledgeable about key concepts related to racial equity, like anti-racism, implicit bias and systemic racism.” Banks also explained that CSD administrators “are implementing racial affinity groups”—gatherings of employees who identify with the same race, ethnicity, or other characteristic—“because the research indicates that they promote staff retention and satisfaction.”<sup>104</sup>

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<sup>100</sup> Letter from Dr. Maggie Fehrman, Superintendent, City Schs. of Decatur, et al. to the State Board of Education & Richard Woods, Georgia State Superintendent of Schools (June 3, 2021), at 1 (enclosed with this complaint as Appendix A).

<sup>101</sup> *Id.*

<sup>102</sup> *Id.* at 2.

<sup>103</sup> *Id.*

<sup>104</sup> Zoe Seiler, *Decatur School Board Discusses District’s Work Related to Equity*, DECATURISH (Sep. 15, 2021), [https://www.decatrish.com/news/decatrish/decatrish-school-board-discusses-district-s-work-related-to-equity/article\\_3e0e3380-941a-54ab-86e9-eba9264ef130.html](https://www.decatrish.com/news/decatrish/decatrish-school-board-discusses-district-s-work-related-to-equity/article_3e0e3380-941a-54ab-86e9-eba9264ef130.html).



Banks' 2021 presentation indicated that "Challenging Stereotypes" is a key part of "normalizing" equity within the district, including requiring CSD teachers to "examine yourself for bias, Whiteness, and/or microaggressions in which you engage."<sup>105</sup> This effort also includes training teachers to "identify the Eurocentric structures and assumptions embedded in your content area and supplement that content by including diverse perspectives," as well as to "examine yourself and your practices to identify the roles you might play in generating disproportionate outcomes for African American students."<sup>106</sup>

"Organizing" for equity in the district involves, according to Banks, implementing "culturally responsive education" through the "Do 4 Framework," which she described as "discussing four things culturally responsive educators choose to do to be anti-racist, abolitionists, just great teachers as a whole."<sup>107</sup> As part of the "Do-4 Culturally Responsive Education Framework," Banks set out goals for teachers, including that they "increase awareness of their racial identity, develop cultural humility," and "help students identify bias and discover agency to make social change."<sup>108</sup>

According to Banks, "[m]any [teachers] will need extensive professional learning and active coaching to make this work part of who they are. We have to do that intentional work if we wish to see substantive change."<sup>109</sup>

Banks' presentation included a discussion of CSD's efforts to "decolonize its curriculum" through task forces on equity in education, social studies, and equity in assessments.<sup>110</sup> She explained that the final "decolonizing" initiative for the district—called "Justice, Action, Diversity, and Equity (The JADE Program),"—would be a course on anti-racism and social justice required of each CSD student prior to graduation.<sup>111</sup>

The documents CSD presented to the board in September 2021 included a description of the "rationale and need for" the JADE Program as follows:

*The purpose of the JADE Program is, at its core, to achieve equity and justice within [CSD]. At the moment there are gaps in the curriculum that lead to harmful*

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<sup>105</sup> DR. MARI ANN BANKS, DEP'T OF EQUITY & STUDENT SERVS., CITY SCHS. OF DECATUR, THE ARE PILLAR OF CSD'S FRAMEWORK FOR EQUITABLE OUTCOMES 12 (2021), <https://simbli.eboardsolutions.com/Meetings/Attachment.aspx?S=4052&AID=1313885&MID=93880>.

<sup>106</sup> *Id.* at 13.

<sup>107</sup> *Id.*

<sup>108</sup> *Id.*

<sup>109</sup> *Id.*

<sup>110</sup> *Id.*

<sup>111</sup> *Id.*



*biases remaining intact throughout a student's education and make learning less accessible to many young minds. This has been made clear to the Decatur community in the past year, with the sharing of several racist and racially ignorant videos of CSD students. The present ignorance in the district has harmed students of color, and there must be a curricular change to address this. The JADE Program will combat inequity by filling in curricular gaps and equipping students with the skills they need to organize and better their community through action. This program will be implemented across all grades of middle school to minimize the harm of inequitable and unjust curriculum throughout the students' academic experience and develop critical thinking skills for students to evaluate content in the future.*<sup>112</sup>

Additionally, according to CSD, the program “will create a new generation of social-justice-oriented students who have the tools and the knowledge to stand up against inequity.”<sup>113</sup>

The document noted that the only middle school in the district, Renfroe Middle School, has a “unique position as a school that educates young students during crucially formative years,” thus making the school, which enrolled approximately 1,350 students at that time, “the best candidate for the implementation of the JADE Program.”<sup>114</sup>

Each grade level would be required to pass a level of the JADE Program, and completion of the JADE Program would be required to graduate from Renfroe Middle School.<sup>115</sup> Students who fail the pass/fail classes “must attend a series of remedial sessions the week after the school year ends, in which discussions about the importance of social justice advocacy are held and students are pushed to understand the necessity of their participation.”<sup>116</sup> Five new teachers would be required to implement the JADE Program.<sup>117</sup>

According to the document, the program “will be initially piloted in the second semester of the 2021–22 School Year at Renfroe Middle School” as an extension of the school’s current “Social, Emotional, Ethical Learning” framework.<sup>118</sup> The pilot would involve an initial “focus on exploring and developing JADE perspectives, where students have discussions and reflect on issues of race,

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<sup>112</sup> JULIAN FORTUNA & KOAN ROY-MEIGHOO, JADE PROGRAM PROPOSAL 1 (2021), <https://simbli.eboardsolutions.com/Meetings/Attachment.aspx?S=4052&AID=1313911&MID=93880> (at page 60 of the materials).

<sup>113</sup> *Id.* at 2.

<sup>114</sup> *Id.* at 2–3.

<sup>115</sup> *Id.* at 6–7.

<sup>116</sup> *Id.* at 7.

<sup>117</sup> *Id.* at 8.

<sup>118</sup> *Id.* at 9.



gender, class, sexuality, ability, etc. and how they influence our community,” with a “culminating project” targeting subjects such as “[d]ecolonizing our community” and “[f]urthering our democracy.”<sup>119</sup>

Closing her 2021 presentation to the school board, Banks explained:

*A lot of people ask why so much of our equity work focuses on black students. I hear that all the time. I cannot emphasize enough that CSD is doing what we do regarding equity in order to . . . [Banks paused, and CSD board members recited the mantra “pay the debt”], you got it, pay the debt. We owe these students. And it’s like triage: we have to pay attention to the students we have injured the most and help them to get better so we can help others to get better.*<sup>120</sup>

The board members responded with questions about and praise for the work that Banks was doing for the district and voiced no objections to her goals.

In November 2022, Banks and CSD equity coordinator Anthony Downer updated the CSD school board on the district’s progress toward “decolonizing the curriculum” in all grades and subjects. According to Downer:

*Decolonizing means identifying ways in which schools structurally reproduce colonial patterns, then confronting, challenging and rejecting the status quo, and putting alternative roads in place for the benefit of academic integrity and social welcoming. . . . A decolonized curriculum starts with acknowledging that students’ identities are linked to structural inequities within society.*<sup>121</sup>

Banks suggested, “We know that a lot of the time when we have problems emerge or things happen that are hurtful to populations it happens in social studies, so let’s look at the curriculum, let’s look at the resources, let’s look at what’s being used in social studies and really discuss and process something better, put something better in its place.”<sup>122</sup>

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<sup>119</sup> *Id.* at 10.

<sup>120</sup> CITY SCHS. OF DECATUR, *September 14, 2021—Regular Board Meeting*, at 01:54:51 (YouTube, Sep. 15, 2021), <https://www.youtube.com/watch?v=k5X0fnTNU14>.

<sup>121</sup> Zoe Seiler, *Decatur School Board Discusses Decolonizing the Curriculum*, DECATURISH (Nov. 30, 2022), [https://www.decatrish.com/news/decatrish/decatrish-school-board-discusses-decolonizing-the-curriculum/article\\_eef6d4f5-8d4a-5979-a604-3ec83d4d2a9a.html](https://www.decatrish.com/news/decatrish/decatrish-school-board-discusses-decolonizing-the-curriculum/article_eef6d4f5-8d4a-5979-a604-3ec83d4d2a9a.html).

<sup>122</sup> *Id.*



In the slides for their presentation, Downer and Banks characterized decolonization as “so pervasive that it is similar to ‘ending systemic racism.’”<sup>123</sup> They declared that “[i]t is not a ‘one and done.’ It is in ALL content areas, all classrooms, includes curriculum, assessments, assessment practices, instructional practices[.]”<sup>124</sup>

The presentation slides ask “Where are we going?” and responded that the district was continuing to pursue the JADE Program. A sample JADE lesson plan to which the slideshow links, labeled “Identity,” explains (in a bulleted list) that “[o]ur identity is made up of languages spoken, religion, race, culture, nationality, personality, interests, likes and dislikes, and relationships.”<sup>125</sup> Part of that curriculum involves requiring students to write their names in the center of a “multicultural self map” and directing them “to fill in the circles with the most important parts of their identity,” with suggested examples including “race, gender, religion, familial relationships, or other identifiers that are important to them.”<sup>126</sup> The students then share among small groups “[a] story in which they are proud of one of the identifiers,” “[a] story in which they were ashamed of or had a painful experience with one of the identifiers,” and “a stereotype about one of their identifiers that is inaccurate,” the last of which they could be instructed to share in a presentation.<sup>127</sup>

Earlier in 2022, the CSD Board of Education had voted to rename Renfroe Middle School—then named for former district superintendent Carl G. Renfroe—Beacon Hill Middle School.<sup>128</sup> The changed name reflects that of the historically black Beacon Hill neighborhood in Decatur, although the middle school is not located in that neighborhood.<sup>129</sup>

Today, Beacon Hill Middle School’s website does not contain a reference to the JADE Program, but its course descriptions reflect an International Baccalaureate (IB) framework called the Middle

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<sup>123</sup> DECOLONIZING OUR CURRICULUM 4 (2022), <https://simbli.eboardsolutions.com/Meetings/Attachment.aspx?S=4052&AID=1472947&MID=102626>.

<sup>124</sup> *Id.*

<sup>125</sup> JADE LESSON 3—IDENTITY 6, [https://docs.google.com/presentation/d/1tyYnfWHL7t5jI-vvvK6-HUfJCCHR8m-tguhDW1X493Q/edit?slide=id.g158e3562c0c\\_0\\_107#slide=id.g158e3562c0c\\_0\\_107](https://docs.google.com/presentation/d/1tyYnfWHL7t5jI-vvvK6-HUfJCCHR8m-tguhDW1X493Q/edit?slide=id.g158e3562c0c_0_107#slide=id.g158e3562c0c_0_107) (enclosed with this complaint as Appendix B).

<sup>126</sup> JADE LESSON #3, at 1, [https://docs.google.com/document/d/1uL53wxu6\\_6ejWaN8QJd0PeZr3IKP\\_SSeva0bHHiEZeg/edit?tab=t.0](https://docs.google.com/document/d/1uL53wxu6_6ejWaN8QJd0PeZr3IKP_SSeva0bHHiEZeg/edit?tab=t.0) (enclosed with this complaint as Appendix C).

<sup>127</sup> *Id.* at 1–2.

<sup>128</sup> Zoe Seiler, *Decatur School Board Renames Renfroe Middle School to Beacon Hill Middle School*, DECATURISH (May 11, 2022), [https://www.decatrish.com/news/decatrish-school-board-renames-renfroe-middle-school-to-beacon-hill-middle-school/article\\_4e9e5eb3-3926-5edf-92e5-2110b0f1a86c.html](https://www.decatrish.com/news/decatrish.com/news/decatrish-school-board-renames-renfroe-middle-school-to-beacon-hill-middle-school/article_4e9e5eb3-3926-5edf-92e5-2110b0f1a86c.html).

<sup>129</sup> *Id.*



Years Programme, which it says aims “to help sixth through tenth graders develop the knowledge, understanding, attitudes, and skills necessary to participate fully and responsibly in a changing world.”<sup>130</sup> As part of that program, students are expected to “give our own cultures and personal histories a high-five, while also tipping our hats to the values and traditions of others! We seek and evaluate a range of points of view, and we are willing to grow from the experience.”<sup>131</sup>

CSD’s Decatur High School also offers IB courses in several subjects. The high school offers seniors a course called IB Language and Literature (year 2) whose description strongly emphasizes the relevance of “culture” and a “global perspective” to analysis:

*The . . . course aims to develop skills of textual analysis and the understanding that texts, both literary and non-literary, can relate to culturally determined reading practices. The course also encourages students to question the meaning generated by language and texts. An understanding of the ways in which formal elements are used to create meaning in a text is combined with an exploration of how that meaning is affected by reading practices that are culturally defined and by the circumstances of production and reception. The study of literature in translation from other cultures is especially important to IB DP students because it contributes to a global perspective. Texts are chosen from a variety of sources, genres and media.*<sup>132</sup>

The description of the IB History course for high-school juniors emphasizes a “critical” approach to history:

*The IB history course is a history course based on a comparative and multi-perspective approach to history. It involves the study of a variety of types of history, including political, economic, social and cultural, and provides a balance of structure and flexibility. The course emphasizes the importance of encouraging students to think historically and to develop historical skills as well as gaining factual knowledge. It puts a premium on developing the skills of critical thinking, and on developing an understanding of multiple interpretations of history. In this way, the course involves a challenging and demanding critical exploration of the*

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<sup>130</sup> CITY SCHS. OF DECATUR, BEACON HILL MIDDLE SCHOOL COURSE DESCRIPTIONS, 2025–2026, at 4, available at [https://drive.google.com/file/d/1qrZ\\_Z-7tanCyBCWg6YAtjuqpHeE6s8Rg/view](https://drive.google.com/file/d/1qrZ_Z-7tanCyBCWg6YAtjuqpHeE6s8Rg/view) (copy on file with the author).

<sup>131</sup> Academics & Student Services, BEACON HILL MIDDLE SCH., <https://bhms.csdecatur.net/teaching-learning> (last visited June 23, 2026).

<sup>132</sup> CITY SCHS. OF DECATUR, 26–27 DECATUR HIGH SCHOOL COURSE DESCRIPTIONS 9, <https://docs.google.com/document/d/11SSTpBDoZ9nw8BZCyGt7bV2g8eBhfp4TTS02-xX8OBc/edit?tab=t.0> (copy on file with the author).

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*past. Teachers explicitly teach thinking and research skills such as comprehension, text analysis, transfer, and use of primary sources.*<sup>133</sup>

On October 26, 2023, Anthony Downer—the district equity coordinator who presented before the CSD Board of Education on “Decolonizing the Curriculum” in 2022—sent an email to CSD’s central-office staff that included an attachment labeled “Resources for Learning & Actions to Support Gaza” attributed to “a queer collective of Jews, Palestinians, and allies in Atlanta” and linking to resources from a group called Jewish Voices for Peace, which, according to the Jewish Federation of Greater Atlanta, “is a radical anti-Israel and anti-Zionist activist group that advocates the eradication of Zionism.”<sup>134</sup> This incident prompted an investigation by the U.S. Department of Education’s Office for Civil Rights (OCR), launched on January 2, 2024, to determine whether the district properly responded to potential anti-Semitic harassment.<sup>135</sup>

The complaint that resulted in the investigation asserted that classroom materials minimized terror attacks against Jews and claimed that “Israel wants to take over Saudi Arabia,” and that a teacher told a student that Hitler’s grandmother was Jewish (insinuating, according to the complaint, that a Jew is responsible for the Holocaust).<sup>136</sup>

CSD investigated Downer over the email, found that he was insubordinate and had violated CSD’s conflict-of-interest policy, and recommended that he be released from his job.<sup>137</sup> According to Downer’s LinkedIn page, he remained employed at CSD until June 2025.<sup>138</sup>

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<sup>133</sup> *Id.* at 21.

<sup>134</sup> Dan Whisenhunt, *Investigation Finds Decatur Schools Equity Coordinator’s Email About Israel and Gaza Violated District Policies*, DECATURISH (Dec. 7, 2023), [https://www.decatrish.com/news/decatrish/investigation-finds-decatrish-schools-equity-coordinator-s-email-about-israel-and-gaza-violated-district-policies/article\\_def367b7-46c6-5f67-b916-4803831d56db.html](https://www.decatrish.com/news/decatrish/investigation-finds-decatrish-schools-equity-coordinator-s-email-about-israel-and-gaza-violated-district-policies/article_def367b7-46c6-5f67-b916-4803831d56db.html).

<sup>135</sup> Zoe Seiler, *Feds Probe Decatur Schools’ Response to Equity Coordinator Email, Model Arab League Participation*, DECATURISH (Mar. 21, 2024), [https://www.decatrish.com/news/decatrish/feds-probe-decatrish-schools-response-to-equity-coordinator-email-model-arab-league-participation/article\\_980a244b-0173-5afa-b9c6-3d1c153476a4.html](https://www.decatrish.com/news/decatrish/feds-probe-decatrish-schools-response-to-equity-coordinator-email-model-arab-league-participation/article_980a244b-0173-5afa-b9c6-3d1c153476a4.html). The complaint also alleged that Decatur High School’s participation in the Model Arab League, which selected the high school to represent Palestine, constituted unlawful discrimination. *Id.* DFI has found no record of OCR’s actions with regard to the complaint on its website.

<sup>136</sup> *Id.*

<sup>137</sup> Whisenhunt, *supra* note 134.

<sup>138</sup> Anthony L. D., LINKEDIN, <https://www.linkedin.com/in/anthony-l-d-a9178199/> (last visited June 23, 2026).



### *“Equity” Planning Tools*

Beginning in 2019, CSD trained administrators to use the “Equitable Planning Tool” with the aim of “ensur[ing] that equity will always be a foremost consideration when creating and implementing policy District-wide.”<sup>139</sup> The archived version of the CSD Equity Website links to two different “equity” tools, a “Racial Equity Tool” and an “Equitable Planning Tool” that are similar in scope and content.

“The Racial Equity Tool” states that it is based on a racial equity toolkit produced by the Government Alliance on Race and Equity.<sup>140</sup> In the document, CSD describes the tool as “questions that should be used during any policy, program, practice, or budget discussion, to determine the impacts of current decisions, and whether those decisions may be unintentionally reinforcing biases, barriers or inequities.”<sup>141</sup> The tool asks the user to consider for all such decisions “[w]hat does the data tell us about how race influences, or can be influenced/impacted by the proposed policy/practice/decision?”<sup>142</sup> Users must also consider “[w]ho will benefit from and/or be burdened by your proposal?” and “[w]hat are your strategies for advancing racial equity or mitigating any unintended consequences related to the policy/practice/decision?”<sup>143</sup> After asking the aforementioned questions and others, the tool requires the user to consider whether the policy, procedure, or decision should move forward and “[w]hat changes can you make going forward that could be more inclusive/equitable?”<sup>144</sup>

The CSD Equity Website’s “Equity Toolkit” page links to “The CSD Equitable Planning Tool,” dated August 2024.<sup>145</sup> That tool declares, “Research and data indicate that persistent racial disparities exist in CSD in which individual, institutional, and structural impacts of race, racism, and other biases are pervasive and significant in our student outcomes. Thus, we are tasked with paying our education debt to students who experience these outcomes.”<sup>146</sup> According to the tool:

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<sup>139</sup> *A Brief History of Our Equity Work*, *supra* note 83.

<sup>140</sup> CITY SCHS. OF DECATUR, THE RACIAL EQUITY TOOL 2 (2021), <https://docs.google.com/document/d/1X6-j4OG7KJ-AUvaX4MP4d0tEVDhov-rgF8PCo5lFDCI/edit?tab=t.0#heading=h.gjdgxs> (enclosed with this complaint as Appendix D).

<sup>141</sup> *Id.* at 1.

<sup>142</sup> *Id.*

<sup>143</sup> *Id.*

<sup>144</sup> *Id.* at 2.

<sup>145</sup> CITY SCHS. OF DECATUR, THE CSD EQUITABLE PLANNING TOOL, v.5, at 1 (2024) (enclosed with this complaint as Appendix E). This resource was available to the public until the spring of 2026, when it became inaccessible.

<sup>146</sup> *Id.*



*Every member of the CSD community is expected to share an awareness of inequity and a personal commitment to eliminating inequities through intentional action. The CSD Equitable Planning Tool lays out a clear seven-step process to ensure that all significant decisions in CSD are aimed toward paying our educational debt and advancing equity.*<sup>147</sup>

Underscoring the ubiquitous application of the tool, the document states that “[t]his toolkit should be used prior to any significant program/policy implementation and presents resources to guide equitable development, implementation, and evaluation of policies, initiatives, programs, professional development, instructional practices, and/or budget decisions in CSD.”<sup>148</sup> It explains the reason for the tool as follows:

*To foster a barrier-free environment where all students have the opportunity to achieve, regardless of their cultural identity, we must disrupt status quo decision-making methods, differentiate resource allocations, and provide the support and authentic opportunities students need to thrive.*<sup>149</sup>

The tool describes CSD Board Policy BAC and CSD’s 2023–28 Strategic Plan, discussed *supra*, as “call[ing] for every staff member in each department, office, and school to take deliberate action to identify and dismantle cultural, structural, racial, and social barriers that increase the education debt for historically marginalized students in this district.”<sup>150</sup> Using the CSD Equitable Planning Tool “moves CSD closer to becoming an Anti-Racist, Multicultural Institution with a deliberate focus on investing in students of color who have been historically marginalized.”<sup>151</sup> The document provides the following examples of instances in which to use the tool:

- *New school-wide or district-based initiatives*
- *Proposals that will go before the [School Leadership Team] for a vote*
- *Allocation of financial or other resources*
- *Policy, practice, or protocol development or significant modifications*

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<sup>147</sup> *Id.*

<sup>148</sup> *Id.*

<sup>149</sup> *Id.*

<sup>150</sup> *Id.* at 3.

<sup>151</sup> *Id.*



- *Major district-wide initiatives, such as a new professional development program or a school closure*
- *Any school-based curricular or extracurricular program or operational change that may impact more than one classroom . . . .*<sup>152</sup>

As part of the tool’s suggestions about how to engage the community in decisions—mainly “[h]istorically marginalized and disenfranchised communities”—it notes that “[e]ach [school’s parent teacher association] has a DEI Committee that focuses on issues equity” and provides links to each school site.<sup>153</sup>

In all kinds of decisions identified just above, the CSD Equitable Planning Tool requires staff members to determine:

*How will the proposal address racism, close opportunity gaps, and pay our education debt?*

*What existing data is available to help support/demonstrate the need for this proposal, and is that data disaggregated by race?*

*How will the proposal impact populations such as black, ELL, Special Education, and/or economically disadvantaged students?*

*How have key internal and external interested/affected groups (such as black, ELL, Special Education, and/or economically disadvantaged students, families, and staff) been engaged in considering and shaping the proposal?*

*What has our engagement told us about the potential positive and/or negative impacts of the proposal for different groups and how this proposal might produce or perpetuate racial inequity?*

*How will the impact of your proposal be documented and evaluated, including whether we achieve the anticipated outcomes, advance equity, and pay the education debt?*

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<sup>152</sup> *Id.*

<sup>153</sup> *Id.* at 8.



*How will you disaggregate and present data to highlight how this strategy impacts historically marginalized communities?*<sup>154</sup>

The CSD Equitable Planning Tool contains a cover sheet that requires the user to identify “Interested/Affected Groups Consulted” regarding each decision, including a “[l]ist of core participants’ names, affiliation to an interested/affected group (staff, students, families, community advocates, partners, etc.), and their racial/ethnic identities.”<sup>155</sup>

### *Recruitment and Hiring*

Beginning in 2021, CSD trained all hiring managers how to use the district’s “Equitable Hiring Tool” (“EHT”) with the aim of “address[ing] equitable racial and cultural representation across the District.”<sup>156</sup> The language addressing this tool on the CSD Equity Website linked to a Google Folder containing documents, labeled “Equitable Hiring Tool Lite,” requiring racialized decision-making in all parts of the CSD hiring process; in spring 2026, CSD restricted public access to this Google Folder.<sup>157</sup>

Each document describes the EHT as follows:

*The [EHT] guides hiring managers as they ensure that hiring decisions in [CSD] are as equitable as possible and that we place a focus on racial equity throughout the hiring process. Such goals can be achieved through the use of the tool, along with intentional, thoughtful actions and partnership between the Equity and Student Services Department, Staff Support Department, local universities, the community, and you/your hiring team. . . .*

*Please keep in mind that using this tool without intentional moves toward an equitable environment in the everyday operations of a department will not have the desired effects of diversifying the CSD workforce or achieving racial equity. Additional resources for assuring equity, diversity, inclusion, and employee engagement can be found by contacting the Equity and Student Services and Staff Support Departments.*<sup>158</sup>

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<sup>154</sup> *Id.* at 11.

<sup>155</sup> *Id.* at 13.

<sup>156</sup> *A Brief History of Our Equity Work*, *supra* note 83.

<sup>157</sup> The description of these documents is based on DFI’s review of them in March 2026, when CSD still made them available to the public.

<sup>158</sup> CITY SCHS. OF DECATUR, *EQUITABLE HIRING TOOL LITE: JOB DESCRIPTION AND ADVERTISING/RECRUITING 1* (2023).



In the EHT labeled “Job Description and Advertising/Recruiting” (“Recruiting EHT”), CSD requires staff to consider whether there are “any groups of people who could be disproportionately impacted by any of the requirements” listed in the job description and to “make a plan regarding what you/your team will do to mitigate the potential impact.”<sup>159</sup> The Recruiting EHT states that staff must include in the job description “language [that] expresses CSD’s commitment to equity, racial equity, and/or anti-racism.”<sup>160</sup> The Recruiting EHT directs staff posting a job internally to “reconsider your decision” if “posting the job in this way leads to unintended outcomes for a group that is already underrepresented in your department.”<sup>161</sup> It explains:

*Whether you post a job position internally or externally affects opportunities for certain populations. For example, if the majority of your employee pool is Latinx, and you decide to hire from within, your actions may be excluding those who are not Latinx. List any groups that could be disproportionately impacted by your internal/external decision and what you can/will do to mitigate the impact.*<sup>162</sup>

The Recruiting EHT requires staff to link at least one of the “must-haves” listed in a job description to “racial equity” and offers the following example: “Must be able to make an excellent pound cake, be detail oriented, and highly efficient. Must demonstrate racial equity competency.”<sup>163</sup>

For the purpose of seeking out candidates in a way that promotes “diversity and inclusion,” the Recruiting EHT lists resources for finding job seekers who are not white, such as Affirmative Action Register, Black Perspective, Diversity Expo, Native American Jobs, Hispanic Today, NAACP Diversity Job Board, and historically black colleges and universities.<sup>164</sup>

In its EHT document focused on “Interview Questions & the Interview” (“Interview EHT”), CSD pushes staff to use the EHT tool “with a team of people from diverse backgrounds” by “[e]nsur[ing] that there is at least one person of color and one woman or gender-expansive individual on the interview panel.”<sup>165</sup> The Interview EHT instructs CSD staff to “[u]s[e] equity-related writing prompts in application materials [to] help hiring managers evaluate an applicant’s commitment to anti-racism, justice, equity, diversity, and inclusion (JEDI),” such as “‘equity/diversity statements’ . . . for all staff positions and leadership roles.”<sup>166</sup> The Interview EHT directs CSD staff

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<sup>159</sup> *Id.* at 3.

<sup>160</sup> *Id.*

<sup>161</sup> *Id.* at 4.

<sup>162</sup> *Id.*

<sup>163</sup> *Id.* at 6.

<sup>164</sup> *Id.* at 11–12.

<sup>165</sup> CITY SCHS. OF DECATUR, *EQUITABLE HIRING TOOL LITE: INTERVIEW QUESTIONS & THE INTERVIEW*, v.2, at 1 (2022).

<sup>166</sup> *Id.* at 2.



to “[i]nclude at least one JEDI question in your suite of interview questions,”<sup>167</sup> such as “How have you committed yourself to a journey toward anti-racism, equity, and inclusion in your professional and personal life?”<sup>168</sup> and “Describe the biases you hold and tell us about the steps you have taken to mitigate them.”<sup>169</sup>

The EHT labeled “Reference Check and Final Selection” (“Selection EHT”) instructs staff to consider, for any unposted position whose selected candidate is an internal transfer, whether “your decision-making process in making this transfer [was] equitable to marginalized populations in your department/school.”<sup>170</sup> The Selection EHT requires staff to ask candidates’ former employers about “any work the candidate has done to develop themselves by focusing on their racial identity or becoming anti-racist” for the purpose of determining “whether the candidate is comfortable with making their racial equity journey known.”<sup>171</sup> The document offers as sample questions the following, among others:

*Can you tell us about a time when you had to overcome societal constructs regarding your identity in order to reach a goal?*

*Have you mapped out a plan for anti-racism/JEDI training going forward to further your self-development and career?*

*Provide an example of how your life and/or professional career have embodied racial equity and social justice.*

*How does your racial, gender, and class identity influence your leadership?*

*What racial or cultural biases do you bring to this position?*

*Explain what you believe to be an effective strategy to diversify curricula.*

*What elements would you find in a curriculum that honors the inclusion of different cultures, abilities, and perspectives?*

*CSD is somewhat unique in that a predominate number of District office roles are filled by female-identified persons and a large number of roles are filled by POC.*

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<sup>167</sup> *Id.* at 3.

<sup>168</sup> *Id.* at 4.

<sup>169</sup> *Id.*

<sup>170</sup> CITY SCHS. OF DECATUR, *EQUITABLE HIRING TOOL LITE: REFERENCE CHECK AND FINAL SELECTION*, v.2, at 2 (2022).

<sup>171</sup> *Id.* at 4.



*What (if anything) would you do differently to support this staff vs. a historically typical male and eurocentric staff?*<sup>172</sup>

The EHT labeled “Transfer Checklist” (“Transfer EHT”) explicitly requires staff to affirm that they have considered the race of their selected transfer candidate before hiring the person for the position: “If the selected candidate is an internal transfer, I/We have considered any unintended consequences and/or disproportionate racial/gender/ability impacts of transferring the position vs. posting it.”<sup>173</sup> The Transfer EHT identifies as an interview question for classroom teachers “Explain what you believe to be an effective strategy to diversify (decolonize) curricula.”<sup>174</sup>

As an aside that is strange for a document relating to hiring practices but telling with regard to CSD’s race-based K–12 curricula, the Transfer EHT declares that “[s]tudies show children as young as 3 months old are aware of racial differences” but offers “the *good news* . . . that white children whose parents talked with them about race became less prejudiced over time, compared with children whose parents didn’t have such conversations. . . . Another study found that white children who had learned about racial discrimination had more positive attitudes toward Black people than children who were not exposed to that curriculum. The same researchers later found that classroom discussions about racial discrimination also had a positive impact on Black children.”<sup>175</sup>

### *CSD’s Equity FAQ’s*

As of January 23, 2025, the CSD Equity Website’s FAQ’s page (now inaccessible, as explained *supra*) included the question, “How should I handle a racist (sexist, ableist, etc.) incident at CSD, or, I think my teacher/administrator is being racist (sexist, ableist, etc.), [sic] what should I do?”<sup>176</sup> It answered as follows:

*Racism isn’t something that happens “somewhere else.” Unfortunately, it happens right here in the halls of our schools, within the confines of our academic departments, and throughout our city, state, and country. It is sometimes purposely inflicted by strangers, other times unconsciously by well-intentioned colleagues and friends, and, most influentially, systemically. If you believe you have*

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<sup>172</sup> *Id.* at 13–18.

<sup>173</sup> CITY SCHS. OF DECATUR, EQUITABLE HIRING TOOL (EHT) TRANSFER CHECKLIST 2 (updated 2023).

<sup>174</sup> *Id.* at 2–3.

<sup>175</sup> *Id.* at 4 (emphasis in original).

<sup>176</sup> *FAQ’s*, CITY SCHS. OF DECATUR, <https://web.archive.org/web/20250123150350/https://equity.csdecatur.net/faqs> (archived by Way Back Machine on January 23, 2025).



*experienced racism at CSD it is imperative that we investigate and address your concerns.*<sup>177</sup>

According to the FAQ’s page, “CSD employees often say, ‘*We can’t just be against racism—we must be anti-racist*’. [sic] What does that statement mean?”<sup>178</sup> CSD answered, “Defeating racism calls for more than just ‘disagreeing with’ or ‘disliking it’—we’ve got to consistently and actively work towards equality for all races while striving to undo racism in our minds, our personal environments, and the world. In other words, we all have to do active work against racism—or— [sic] we are upholding racism.”<sup>179</sup>

The FAQ’s page declared that CSD “believe[s] that educational equity requires . . . the systematic use of data to determine and establish an equitable allocation of resources. . . . [and] the intentional development and implementation of district policies and practices with a focus on amplifying equity.”<sup>180</sup>

The webpage declared that, “[a]s a KEY part of educational equity—CSD has committed to closing achievement and discipline gaps between white and black students. However, *the ‘achievement’ or ‘discipline gap’ is NOT what we are addressing—we are paying our Education Debt!*”<sup>181</sup> The webpage explained that “[t]he philosophy of an ‘Education Debt’ was developed by Gloria Ladson Billings” regarding “the incorrect way we have defined insistent racial achievement and discipline separations between students in the past and the debt we owe in the present . . . .”<sup>182</sup> According to an article published by Dr. Ladson-Billings in 2006, the “education debt” consists of “the historic, economic, sociopolitical, and moral debt that we have amassed toward Black, Brown, Yellow, and Red children.”<sup>183</sup> It calls on readers to “use our imaginations to construct a set of images . . . remind[ing] us that the cumulative effect of poor education, poor housing, poor health care, and poor government services create a bifurcated society that leaves more than its children behind.”<sup>184</sup>

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<sup>177</sup> *Id.*

<sup>178</sup> *Id.* (emphasis in original).

<sup>179</sup> *Id.*

<sup>180</sup> *Id.*

<sup>181</sup> *Id.* (emphasis in original).

<sup>182</sup> *Id.*

<sup>183</sup> Gloria Ladson-Billings, *From the Achievement Gap to the Education Debt: Understanding Achievement in U.S. Schools*, EDUC. RESEARCHER, Vol. 35, No. 7, at 9 (Oct. 2006), [https://thrive.arizona.edu/sites/default/files/From%20the%20Achievement%20Gap%20to%20the%20Education%20Debt\\_Understanding%20Achievement%20in%20US%20Schools.pdf](https://thrive.arizona.edu/sites/default/files/From%20the%20Achievement%20Gap%20to%20the%20Education%20Debt_Understanding%20Achievement%20in%20US%20Schools.pdf).

<sup>184</sup> *Id.* at 10.



### *Courageous Conversations About Race*

The FAQ’s page asked, “Why has the district spent so much money with the Pacific Education Group?” It answered, “PEG, now Courageous Conversations About Race [‘CCAR’], created Beyond Diversity, one of several valuable tools CSD uses to fight inequitable student outcomes and pay our education debt.” The website linked to the CCAR website, which at the time (it has since been scrubbed of racial references<sup>185</sup>) explained the purpose of the program as “[d]eepen[ing] your understanding of the need for personal racial consciousness and the importance of engaging in the Protocol for” CCAR, and “[l]earn[ing] how to talk about race in ways that build bridges of understanding that lead to effective action.”<sup>186</sup> As of June 2024, the website contained a 45-hour CCAR syllabus in which participants “gain the knowledge and skills to understand and examine the impact of race on student achievement and the role that racism plays in institutionalized racial disparities.”<sup>187</sup> The website describes the course objectives as follows:

- 1. The need for personal racial consciousness and the importance of engaging in the Protocol for [CCAR].*
- 2. How race impacts you on a personal, local, and immediate level.*
- 3. The necessity to isolate race while acknowledging the broader scope of diversity and the variety of factors that contribute to a racialized problem.*
- 4. How race is socially constructed and how your perspective is different from others’ perspectives and lived racial experiences.*
- 5. The definition of race that differentiates between nationality, ethnicity, and race and recognizes the interconnections of color, culture, and consciousness.*

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<sup>185</sup> *Teaching and Learning Solutions*, PUB. CONSULTING GRP., <https://publicconsultinggroup.com/industry-solutions/education/teaching-and-learning-solutions/> (last visited June 23, 2026).

<sup>186</sup> *Courageous Conversations About Race*, EDUCATOREd, <https://web.archive.org/web/20240605061602/https://www.educatorred.com/courses/courageous-conversations.html> (archived by Way Back Machine on June 5, 2024).

<sup>187</sup> KNOWLEDGE DELIVERY SYS., INC., COURSE SYLLABUS: COURAGEOUS CONVERSATIONS ABOUT RACE 1 (2014), [https://web.archive.org/web/20240605070002/https://www.educatorred.com/courses/documents/courageous-conversations/Syllabus\\_CCAR\\_%2045hours.pdf](https://web.archive.org/web/20240605070002/https://www.educatorred.com/courses/documents/courageous-conversations/Syllabus_CCAR_%2045hours.pdf) (archived by Way Back Machine on June 5, 2024).

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6. *The meaning of “whiteness” and its role and impact in schools and society.*
7. *The practical implications of implementing [CCAR].*<sup>188</sup>

Unit 1 of the syllabus is entitled “What Is Race and Why Do We Need to Focus on It?”<sup>189</sup> Unit 3 of the syllabus is entitled “Putting Race on the Table and Keeping the Spotlight on It.”<sup>190</sup> Unit 6 is entitled “Whiteness[:] What Is Racial Power? Who Has It, and Who Wants It?”<sup>191</sup> That unit focuses on “explor[ing] ‘whiteness’ and its role and impact in schools and society.”<sup>192</sup> By the end of the program, the syllabus suggests that the participants “will be able to identify what anti-racist leadership looks like by creating a person action plan.”<sup>193</sup>

The link to these syllabus materials now redirects to a sanitized “Teaching and Learning Solutions” page of the Public Consulting Group that, in much more vague terms, suggests the need to “[c]los[e] the achievement gap,” without mentioning an obsessive focus on race or “whiteness” in order to do so.<sup>194</sup>

The CSD Equity Website explained that, “[b]etween February 2018 and 2023, [CSD] enrolled almost all of our administrators and educators in [CCAR], and the results were significant.”<sup>195</sup> It identified CCAR’s “methodology [as] a large part of CSD’s District Improvement Plan[,] and it helps us develop a common language regarding race across the district.”<sup>196</sup>

CSD has developed a program called “CCAR Affiliates,” which it called “[a]n Elite Squad,” assembling “a dedicated group of individuals from across the district who support CSD in our in-depth implementation of CCAR’s principles and constructs.”<sup>197</sup> The website further described the CCAR Affiliates as follows:

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<sup>188</sup> *Id.* at 3.

<sup>189</sup> *Id.* at 5.

<sup>190</sup> *Id.* at 6.

<sup>191</sup> *Id.*

<sup>192</sup> *Id.*

<sup>193</sup> *Id.* at 7.

<sup>194</sup> *Teaching and Learning Solutions*, *supra* note 185.

<sup>195</sup> *CSD & CCAR*, CITY SCHS. OF DECATUR,

<https://web.archive.org/web/20241110152733/https://equity.csdecatur.net/what-is-csds-equity-plan/csd-and-ccar> (archived by Way Back Machine on November 10, 2024).

<sup>196</sup> *Courageous Conversation Affiliates*, CITY SCHS. OF DECATUR,

<https://web.archive.org/web/20241204041355/https://equity.csdecatur.net/what-is-csds-equity-plan/meet-our-ccar-affiliates> (archived by Way Back Machine on December 4, 2024).

<sup>197</sup> *Id.*



*This powerful group of multicultural affiliates serves as District leaders and examples toward best practices of CCAR methodology. Call on them to do work such as leading groups of students or teachers through racial conversations, evaluating or developing race-related programs, and/or supporting other types of race-related work throughout the district.*<sup>198</sup>

### *CSD's Equity Toolkit and Resources*

The CSD Equity Website included a page titled “The Equity Toolkit” that linked to a number of resources, including the CSD Equitable Planning Tool discussed *supra*, focused on race-based practices and critical race theory.<sup>199</sup>

The CSD Equity Toolkit page linked to a “Decolonizing the Curriculum Tool.”<sup>200</sup> Although the link from the CSD Equity Website to that tool does not function, it may refer to a resource called *Decolonising the Curriculum: Promoting Cultural Humility*, created by trainees for a “service development assignment” at the University of Lancaster’s clinical psychology program.<sup>201</sup> That resource provides a set of “[i]llustrative questions” educators should ask to determine whether curricular materials are sufficiently “anti-racist” and includes a diagram entitled “Intersecting Axes of Privilege, Domination, and Opression [sic]” for the purpose of “aid[ing] reflections whilst using the tool.”<sup>202</sup>

The CSD Equity Toolkit page also linked to a “Culturally-Responsive Curriculum Scorecard” (“Curriculum Scorecard”) and a “Culturally Responsive-Sustaining STEAM Curriculum Scorecard” (“STEAM Curriculum Scorecard”), both published by the NYU Steinhardt School of Culture, Education, and Human Development.

The Curriculum Scorecard is based on the assertion that “[c]urricula that only reflect the lives of dominant populations—for example, White people and culture, nuclear families, or able-bodied people—reinforce ideas that sideline students of color, linguistically diverse students, single

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<sup>198</sup> *Id.*

<sup>199</sup> *The Equity Toolkit*, CITY SCHS. OF DECATUR, <https://web.archive.org/web/20250123144731/https://equity.csdecatour.net/equity-resources-newsletters/equity-toolkit> (archived by Way Back Machine on January 23, 2025).

<sup>200</sup> *Id.*

<sup>201</sup> AMY BURGESS ET AL., *DECOLONISING THE CURRICULUM: PROMOTING CULTURAL HUMILITY 2*, [https://www.lancaster.ac.uk/shm/study/doctoral\\_study/dclinpsy/onlinehandbook/appendices/Decolonising%20the%20curriculum%20cultural%20humility%20tool.pdf](https://www.lancaster.ac.uk/shm/study/doctoral_study/dclinpsy/onlinehandbook/appendices/Decolonising%20the%20curriculum%20cultural%20humility%20tool.pdf).

<sup>202</sup> *Id.* at 4. The “Intersecting Axes of Privilege, Domination, and Opression [sic]” graphic is enclosed as Appendix F of this complaint.



parent/multi-generation/ LGBTQ+ led families, and differently-abled students.”<sup>203</sup> The scorecard thus provides to “parents, teachers, students, and communities” a way to evaluate the extent to which curricula “provide opportunities and resources for teachers to utilize culturally responsive practices.”<sup>204</sup> The Curriculum Scorecard includes a section called “Decolonization, Power, & Privilege,” described as follows:

*This section focuses on understanding relationships among people, worldviews, resources, ideas, and power dynamics. Historically, public school curricula reflected Eurocentric ideas and culture, while the contributions and philosophies of other groups were excluded, minimized, misrepresented, or relegated to a small portion of the curricula. A culturally responsive curriculum centers sources of knowledge, experiences, and stories of diverse groups of people.*<sup>205</sup>

The STEAM Curriculum Scorecard seeks “to help parents, teachers, administrators, students, and community members determine the extent to which their schools’ Science, Technology, Engineering, Arts, and Mathematics (STEAM) curricula are (or are not) culturally responsive.”<sup>206</sup> It acknowledges “the possible negative, stressful, or traumatic experiences or memories that could be surfaced when thinking about STEM experiences in school,” calling for “historically marginalized folks . . . to (re)claim STE(A)M and your right to it.”<sup>207</sup>

CSD’s Equity Toolkit also linked to Teaching for Change’s “Guide for Selecting Anti-Bias Children’s Books.”<sup>208</sup> This guide is based on the notion that young children “need to know about people from all social identity groups who have—and are currently—working for justice for all.”<sup>209</sup> **The resource also discourages the use of any books published prior to the 1970s because of their failure to promote “social justice”-oriented and identity-based messages:**

*More children’s books began to reflect the reality of a pluralistic society and nonsexist and non-ableist perspectives in the 1970s. Since then, the range of accurate, respectful, and caring books reflecting diversity has increased significantly (unfortunately the diversity of books published in the United States*

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<sup>203</sup> J. BRYAN-GOODEN, M. HESTER & L. Q. PEOPLES, CULTURALLY RESPONSIVE CURRICULUM SCORECARD 4 (2019) (copy on file with the authors).

<sup>204</sup> *Id.*

<sup>205</sup> *Id.* at 6.

<sup>206</sup> LEAH Q. PEOPLES, TAHIA ISLAM & TIMOTHY DAVIS, THE CULTURALLY RESPONSIVE-SUSTAINING STEAM CURRICULUM SCORECARD 2 (2021) (copy on file with the authors).

<sup>207</sup> *Id.*

<sup>208</sup> *The Equity Toolkit*, *supra* note 199.

<sup>209</sup> Louise Derman-Sparks, *Guide for Selecting Anti-Bias Children’s Books*, TEACHING FOR CHANGE, Apr. 14, 2016, <https://www.teachingforchange.org/selecting-anti-bias-books>.



*still does not accurately reflect the actual diversity of the people living here). When considering new books for your collection, begin with most recently published ones and then continue with descending copyright dates.*<sup>210</sup>

The CSD Equity Website included a page entitled “Equity Resources for Home” that contained a link to an article entitled “EXPLAINED: The Truth About Critical Race Theory and How It Shows Up in Your Child’s Classroom.”<sup>211</sup> CSD described the resource as an “engaging and informative article [that] discusses what CRT is, from whence it originates, and how it shows up in your child’s classroom. It’s really not the big bad wolf that some would like you to believe it is.”<sup>212</sup> The CSD Equity Website’s page entitled “Equity Resources for Educators” included this explanation and added that critical race theory is “merely a theory that explicates the historical perspective of an honest, lived truth for many BIPOC in the US.”<sup>213</sup>

The article promoted by CSD describes CRT as “an intellectual framework that examines how racism is embedded in the laws, policies, and institutions (schools, for example) of the United States. It’s a way of understanding how racial inequality is built into the systems around us.”<sup>214</sup> According to the CSD-endorsed article:

***The U.S., and all of its laws and institutions, were founded and created based on the myth of white supremacy—the assumption that lighter skin and European ancestry meant that white people were better and deserved a higher social and economic position than people of color. Because racism is embedded within our systems and institutions, codified in law, and woven into American public policy, this racial inequality is replicated and maintained over time. Thus, systemic racism shows up in nearly every facet of life for people of color.***<sup>215</sup>

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<sup>210</sup> *Id.*

<sup>211</sup> *Equity Resources for Home*, CITY SCHS. OF DECATUR, <https://web.archive.org/web/20250123143906/https://equity.csdecatour.net/equity-resources-newsletters/equity-resources-for-home> (archived by Way Back Machine on January 23, 2025).

<sup>212</sup> *Id.*

<sup>213</sup> *Equity Resources for Educators*, CITY SCHS. OF DECATUR, <https://web.archive.org/web/20250123140151/https://equity.csdecatour.net/equity-resources-newsletters/equity-resources-for-educators> (archived by Way Back Machine on January 23, 2025).

<sup>214</sup> *EXPLAINED: The Truth About Critical Race (CRT) Theory and How It Shows Up in Your Child’s Classroom*, ED POST (May 5, 2021), <https://www.edpost.com/explainer/explained-the-truth-about-critical-race-theory-and-how-it-shows-up-in-your-childs-classroom>.

<sup>215</sup> *Id.* (emphasis added).



The article explains that CRT “provides educators the tools they need to transform current practices in teaching and learning and to examine the attitudes and biases—implicit or explicit—that they bring into their classrooms.”<sup>216</sup> Although “CRT isn’t part of most standard K–12 curricula, . . . the influence of critical race theory in K–12 is real—and for many schools and educators, it’s helping to shift practices in ways that center equity, truth, and justice.”<sup>217</sup>

The CSD Equity Website’s “Equity Resources for Home” webpage also linked to a resource entitled “They’re Not Too Young to Talk About Race.”<sup>218</sup> That CSD-promoted resource argues that “[s]ilence about race reinforces racism by letting children draw their own conclusions based on what they see.”<sup>219</sup> According to the document, “[t]eachers and families can play a powerful role in helping children of all ages develop positive attitudes about race and diversity and skills to promote a more just future—but only if we talk about it!”<sup>220</sup> The resource thus encourages “[e]xplicit conversations with 5–7 year olds [sic] about interracial friendship,” which it says “can dramatically improve [these young children’s] racial attitudes in as little as a single week.”<sup>221</sup>

The “Equity Resources for Home” webpage asserted that “[y]our 5-year-old is already racially biased. Here’s what you can do about it.”<sup>222</sup> It explained that “a lot of us believe that children, especially White children, are racial innocents—completely naive, curiously fragile with respect to the realities of race, or both. The truth is that well before their teen years, the vast majority of children are well aware of prevailing biases, and most kids, of all racial stripes, have taken on a bunch of their own.”<sup>223</sup> It also linked to a resource entitled “The Top 5 Reasons Well-Meaning White Parents Do Not Discuss Race with Their White Children,” describing it as “a post for well-meaning white parents of white children,” and stated that “[w]hite silence = violence.”<sup>224</sup>

The “Equity Resources for Home” webpage included a section labeled “Information Related to Specific Races/Cultures.”<sup>225</sup> That section identified resources for “Black Folk,” “Asian-American and NHPI Folk,” “Folks Who Are Immigrants/Refugees,” “Native/Indigenous American Folks,” “Latino Folk,” and “People with Disabilities” that presented positive messages about the identified

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<sup>216</sup> *Id.*

<sup>217</sup> *Id.*

<sup>218</sup> *Equity Resources for Home*, *supra* note 211.

<sup>219</sup> THE CHILDREN’S COMMUNITY SCHOOL, THEY’RE NOT TOO YOUNG TO TALK ABOUT RACE 1 (2018), <https://childrenscommunityschool.org/wp-content/uploads/2018/02/theyre-not-too-young-1.pdf> (emphasis in original).

<sup>220</sup> *Id.*

<sup>221</sup> *Id.*

<sup>222</sup> *Equity Resources for Home*, *supra* note 211.

<sup>223</sup> *Id.*

<sup>224</sup> *Id.*

<sup>225</sup> *Id.*



racism, cultures, or characteristic.<sup>226</sup> By contrast, resources for “White Folk” included the following resources that suggest being white is something to be ashamed of or, at best, requires one to work to improve oneself:

*Opportunities for White Folk in the Fight for Racial Justice: Moving from Actor, to Ally, to Accomplice*

*How do I make sure I'm not raising the next “Amy Cooper” [a white woman who called 911 on a black birdwatcher in New York City in 2020]?*

*Whiteness/White Privilege*

*The Invention of Whiteness: the Long History of a Dangerous Idea*

*Developing a Positive White Identity[.]*<sup>227</sup>

The CSD Equity Website’s “Equity Resources for Educators” page identified state laws prohibiting schools from teaching students that “the United States is fundamentally or irredeemably racist or sexist,” including CRT-based curricula, as “attacking public school curricula” and “united in their larger political goal: to rob children of access to a truthful, transparent, and inclusive past, an account of history that helps them fully see and understand their present.”<sup>228</sup> CSD stated that “[s]ome hope to strip the classroom of its potential as a powerful democratic space, where students learn to see themselves not only as individuals, but as part of history, with the capacity to question, challenge, build solidarity, and act to transform society. We must not let them.”<sup>229</sup> In furtherance of that agenda, the webpage linked to the Zinn Education Project’s #TeachTruth syllabus, identifying it “as a gesture of defiance and education.”<sup>230</sup> That resource links to materials for a so-called “truthful curriculum” that “engages children in a much broader investigation of the past, emphasizing how racism and other forms of inequality were built into the foundation of the United States, how these inequalities have persisted and changed over time, and how individuals and groups have resisted and organized for justice.”<sup>231</sup> The CSD-endorsed resource declares that “[w]e reject the universalizing, color-blind posture of these laws and challenge the canard that to acknowledge race is itself racist.”<sup>232</sup> The resource notes that, “[a]lthough you will not find the

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<sup>226</sup> *Id.*

<sup>227</sup> *Id.*

<sup>228</sup> *Equity Resources for Educators, supra* note 213.

<sup>229</sup> *Id.*

<sup>230</sup> *Id.*

<sup>231</sup> #TeachTruth Syllabus, ZINN EDUC. PROJECT (Feb. 25, 2025),

<https://www.zinnedproject.org/news/teachtruth-syllabus/>.

<sup>232</sup> *Id.*



phrase ‘critical race theory’ anywhere in the linked materials, you will find that these resources, like CRT, provide a framework for students to understand how racial disparities developed historically and endure today.”<sup>233</sup>

CSD’s “Equity Resources for Educators” page declared, “Teachers Are Just As Likely To Be Racially Biased As Anyone Else,” citing a summary of a study finding “that teachers and non-teacher hold both implicit and explicit pro-White racial bias and that the differences between the two groups are negligible.”<sup>234</sup> CSD concluded, “Sorry yall [sic], according to them, you are as biased as everyone else. It’s imperative to think about and own that truth as we construct policies for our schools and classrooms.”<sup>235</sup>

The “Equity Resources for Educators” pushed teachers to engage in “culturally-responsive teaching” as follows:

*Culturally responsive pedagogy can be a game-changer in a school’s pursuit of educational equity, but. [sic] CRT is more than just a set of activities, social justice lessons, or kinesthetic learning strategies. CSD educators studying CRT are building the capacity to discover the critical connections between student learning, culturally responsive practices, and neuroscience—thereby allowing them to customize CRT strategies, identify current mindsets that need to change in classrooms or schools, and practice [a] framework [in pursuit of that goal].*<sup>236</sup>

The “Equity Resources for Educators” website identified the following resources for CSD teachers to use to include CRT in their curricula: “How Should I Talk About Race in My Mostly White Classroom?,” “Stop Hiding in Your Classroom—It’s Time to Talk About Race,” “Talking About Race,” “31 Children’s Books to Support Conversations on Race, Racism & Resistance,” “NYT—26 Mini-Films for Exploring Race, Bias and Identity with Students,” “A TED Talk: What Kids Should Know About Race,” “How to Talk to Kids About Microaggressions (Embrace Race),” “Anti-Racist Book List for ALL Ages K–Adult!,” and “Understanding Prejudice: Tips for Elementary School Teachers.”<sup>237</sup>

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<sup>233</sup> *Id.*

<sup>234</sup> *Equity Resources for Educators, supra* note 213 (internal quotation marks omitted).

<sup>235</sup> *Id.*

<sup>236</sup> *Id.* In some instances, the CSD Equity Website used the acronym “CRT” to refer to “culturally responsive pedagogy”; in others, it used the acronym to refer to “critical race theory.” Because the website did not identify any difference between the terms with regard to theory or practice, it can be assumed that “CRT” referred to the same, race-based teaching methods wherever it appeared on CSD’s website.

<sup>237</sup> *Id.* (emphasis in original).



Under a section called “Racial Trauma & Education,” CSD’s “Equity Resources for Educators” website suggested a Chicago Public Schools-created toolkit called “Say Their Names!” that supplies “suggestions and strategies for educators and parents having conversations with young people in school and at home about race, racism, racial violence, understanding biases, and how to take action for racial justice.”<sup>238</sup> The webpage also recommended a resource called the “Anti-Blackness Toolkit” and offered assistance from the Equity and Student Support Department “in converting the activities or content” from the resource into the classroom.<sup>239</sup>

The “Equity Resources for Educators” page described “Culturally Relevant Pedagogy In Mathematics” as “a critical need,” discussed “Math as Social Justice,” and presented a resource called “Radical Math” that it said “empowers educators to address issues of social and racial justice in math classrooms through curriculum, lesson planning resources, and professional development opportunities.”<sup>240</sup> It recommended “Culturally Relevant Science” and offered a path to “Becoming an Anti-Racist Music Educator” with a resource “explor[ing] the ways that Whiteness manifests in music education and . . . examines actions music teachers might take to resist Whiteness.”<sup>241</sup>

The “Equity Resources for Educators” webpage also promoted a resource page labeled “Empowering Education on Resistance to White Supremacist Terror.”<sup>242</sup> It described the resource page as follows:

*Here, The Ida B. Wells Education Project provides a list of resources that support their Feb. 2021 workshop which addressed discussing White supremacist terror in the classroom. Topics covered are: Reconstruction, The Free Black Press, Protests, Political Organizing and the NAACP, Protests and Political Organizing Against Lynching, Artists Against Racial Violence, Teaching About Race Riots Race Massacres, Violence and the Civil Rights Revolution, Police Violence is White Supremacist Violence, and Fighting White Supremacy Today. This topic/these resources are not for the faint of heart, but, if you're ready, I mean really ready, this can be a transformative experience for your students—an entirely new way to examine and interrogate US history.*<sup>243</sup>

The “Equity Resources for Educators” website contained a resource entitled “Palestinian Women: A History of Female Resistance in Gaza and The West Bank.”<sup>244</sup> CSD explained:

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<sup>238</sup> *Id.*

<sup>239</sup> *Id.*

<sup>240</sup> *Id.*

<sup>241</sup> *Id.*

<sup>242</sup> *Id.*

<sup>243</sup> *Id.*

<sup>244</sup> *Id.*



*Outside observers tend to imagine the face of Gaza as resolutely male: the bearded Hamas “militant”, [sic] or the young man hurling stones across the border fence. But this article discusses Palestinian women, both in Gaza and the West Bank, who have a significant presence as activists, protesting against an unjust occupation, but also as the backbone of a fragmented and demoralized society.*<sup>245</sup>

With respect to “Asian American & NHPI Education,” CSD recommended to its teachers that, “[a]s you learn or unlearn Asian history, teach about the oppression from white supremacy, but also about the movements, activists, and solidarity across movements.”<sup>246</sup> The webpage declared that failing to learn “the long history of violence against Asian Americans . . . is itself a form of violence.”<sup>247</sup> In furtherance of that teaching, CSD pressured educators to do the following:

- *Teach how [a]nti-Asian racism never stopped being an outgrowth of U.S. imperialism.*
- *Teach about the police killings of 20-year-old, Vietnamese American Tommy Le, 30-year-old Filipino American Angelo Quinto, and 19-year-old Chinese American Christian Hall, because it is important for both Asian and non-Asians to understand that, even though we do not face the same level of police violence as Black folks, also for Asian Americans, the police are not friends.*
- *Teach about the murder of Vincent Chin, beaten to death by white laid-off autoworkers in Detroit, who blamed him for the rise of the Japanese car industry.*
- *Teach about the history of tensions and solidarity between Asian American and Black communities.*
- *Teach about the Third World Liberation Front, a multiracial coalition of Black, Native American, Latinx, and Asian American students in the San Francisco Bay Area who together, through protest, started the movement for Ethnic Studies.*
- *Teach about the Myth of the Model Minority as a form of anti-Asian racism and as a racist myth used as a “wedge” against other communities of color.*

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<sup>245</sup> *Id.*

<sup>246</sup> *Id.*

<sup>247</sup> *Id.*



- *Teach about the Movement for Black Lives and the Black Lives Matter at School respective statements in solidarity with Asian Americans facing violence.*
- *Teach about the organizing for Asian-Black solidarity happening in Oakland.*<sup>248</sup>

With respect to “Black Education,” the “Equity Resources for Educators” webpage declared, “No, You Should Not Be Teaching Black Children if You Reject Anti-Racism.”<sup>249</sup> CSD described the linked resource as follows:

*This well-laid-out, informative article explains why it is SO important for teachers to be anti-racist and act as anti-racist allies. As Al-Mekki states, “We need anti-racist White teachers, co-strategists and laborers in this work who are open to being deeply self-reflective about how to be the most effective at teaching black and brown children”.*<sup>250</sup> [sic]

The webpage also recommended a resource called “Teaching Tolerance: Black Lives Matter,” which “can help you talk with students about the historical context and mission behind Black Lives Matter and work toward making your school a more affirming, safer space for Black students.”<sup>251</sup> The webpage also recommended a resource called “6 Reasons ‘All Lives Matter’ Doesn’t Work.”<sup>252</sup>

CSD cited to a resource called “The Abolitionist Teaching Network,” which it described as follows:

*This highly-recommended Network’s mission is to develop and support those in the struggle for educational freedom utilizing the intellectual work and direct action of Abolitionists in many forms. Abolitionist Teachers believe that no Black, Brown, or Indigenous child is disposable. They believe we must embody the spirit of Black Lives Mattering, not just say Black Lives Matter. ATN awards grants to teachers who strive to disrupt inequalities and injustice within their schools, communities, or both. This site is an invitation and location for Abolitionist Teachers to individually and collectively generate critical reflection and action.*<sup>253</sup>

CSD recommended a resource called “Education and Criminalization: Do #BlackLivesMatter—in Schools?,” which it described as follows:

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<sup>248</sup> *Id.*

<sup>249</sup> *Id.*

<sup>250</sup> *Id.*

<sup>251</sup> *Id.*

<sup>252</sup> *Id.*

<sup>253</sup> *Id.*



*This resource and reading list was curated by Dr. Subini Annamma [sic] who created it because she, [sic] “noticed that a lot of the lists are ignoring education, particularly k-12 education and the ways it reproduces anti-Blackness, white supremacy, and racism in schools to construct Black youth as criminals.” As more and more is written about the ways society enacts anti-Blackness and white supremacy against Black youth, less addressed in many reading lists & syllabi is the role education plays in such outcomes. The goals of the multiple articles and research studies on this list are to highlight how schools (re)produce criminalization of Black youth.<sup>254</sup>*

The “Equity Resources for Educators” webpage offered resources defining “structural racism,” “systemic racism,” and “implicit bias, microaggressions, and stereotypes.”<sup>255</sup>

The webpage also included “Equity-Based Professional Development Information,” such as “Implicit Bias Training,” a “National Abolitionist Teaching Fellowship” that offers “tailored coaching and curriculum development support which is geared towards improving outcomes for Black and Latinx Students [and] decolonizing their classroom,” as well as grants for teachers “who strive to disrupt inequalities and injustice within their schools, communities, or both.”<sup>256</sup> The webpage defined “Abolitionist Education” as “a teaching approach that centers on abolishing oppressive educational systems, while loving, protecting, remembering, and healing children of color and their communities.”<sup>257</sup> Additionally, the webpage presented a resource called “Black Male Educators Talk” as “an AWESOME group dedicated to the support and brotherhood of Black male teachers.”<sup>258</sup>

The CSD Equity Website offered “Resources for Current Events and Topics,” including a resource from the Zinn Education Project on “Teaching about the Violence in Palestine and Israel.”<sup>259</sup> According to CSD’s description of that resource:

*[W]hile many education groups are providing resources for teaching about the crisis as a “conflict” rooted in antisemitism and Islamophobia, that sole emphasis is misleading. Students need to study how the current crisis is shaped in large part*

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<sup>254</sup> *Id.*

<sup>255</sup> *Id.*

<sup>256</sup> *Id.*

<sup>257</sup> *Id.*

<sup>258</sup> *Id.*

<sup>259</sup> *Resources for Current Events and Topics*, CITY SCHS. OF DECATUR, <https://web.archive.org/web/20241204035600/https://equity.csdecatur.net/equity-resources-newsletters/current-events-and-topics> (archived by Way Back Machine on December 4, 2024).



*by settler colonial history, land, water, conditions of apartheid, and the geopolitical motivations of world powers. [The] teaching resources . . . help students probe the long history of colonialism and resistance in Palestine and Israel—and the role that our U.S. government has played.*<sup>260</sup>

Resources on the archived CSD Equity Website include a toolkit on “Confronting White Nationalism in Schools” and a chart labeled “Opportunities for White Folk in the Fight for Racial Justice: Moving from Actor, to Ally, to Accomplice,” which “draws from ideas and resources developed mostly by Black, Brown, and People of Color” and “challenges White folks to go outside of our comfort zones, take some bigger risks, and make some more significant sacrifices because this is what we’ve been asked to do by those most impacted by racism, colonialism, patriarchy, white supremacy, xenophobia, and hyper-capitalism.”<sup>261</sup>

The webpage included a resource on “Multiple Types of Privilege” and “How to Decenter Yourself in Conversations with Members of Marginalized Communities,” the latter of which is described as follows:

*There are parts of all our identities where we find ourselves having privilege. For example, although I am a Black woman and Black people are marginalized in the US, there are parts of my identity where I do have historical privilege such as being a Christian in the United States, having a middle-class socioeconomic status, and having an extensive post-secondary education. If someone who is historically marginalized is trying to tell us what life is like for them, then it is important for us to seek to understand others’ experiences, reflect before contributing to a conversation, and use our own privilege to give marginalized groups a platform. These behaviors can help create safer spaces for meaningful discourse. This site provides strategies.*<sup>262</sup>

The “Resources for Current Events and Topics” included a resource from the National Education Association on “Implicit Bias, Microaggressions, and Stereotypes” and a repository of Harvard University resources on “anti-racism.”<sup>263</sup> CSD described the Harvard repository as follows:

*Harvard’s site tells us that simply not being racist is insufficient in eradicating the problem. We must work on actively becoming Anti-Racist in order to properly push back against the system that oppresses Black, Indigenous, and other People of the Global Majority (POGM). Members of the university community have compiled*

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<sup>260</sup> *Id.*

<sup>261</sup> *Id.*

<sup>262</sup> *Id.* (citing to a now-defunct page on Baylor University’s website).

<sup>263</sup> *Id.*



*resources that can educate, facilitate, and equip those seeking to become more effective anti-racism allies.*<sup>264</sup>

According to the archived CSD Equity Website, district staff “have seen positive signs of the influence of our work in a reduction of suspension and expulsion outcomes.”<sup>265</sup> According to the website:

*We are proud of the work we have done; yet, CSD is still very much a work in progress. We are far from fully paying our education debt to our Black students; so, without hesitation, we continue our pursuit of equity and pledge to revise, escalate, and rededicate our efforts until we achieve that goal.*<sup>266</sup>

### *Equity Newsletters*

The archived CSD Equity Website links to 10 *Equity @ CSD* newsletters published during the 2022–23 school year.<sup>267</sup> These newsletters were available for access via Google Drive until the spring of 2026. At the top of the first page of each of these newsletters, CSD inserted the terms “Diversity,” “Equity,” and “Inclusion.”<sup>268</sup>

In the first newsletter, published in September 2022, CSD states that “[e]quity is simply making sure that everyone gets what they need; it’s often confused with equality—which is not the same thing.”<sup>269</sup> The newsletter explains that CSD is “[n]ormalizing racial equity—establishing it as a key value while developing cultural humility and a shared organizational understanding of key concepts related to racial equity.”<sup>270</sup> CSD is “[o]rganizing for racial equity—building our capacity for culturally responsive teaching, and ultimately, working to hold all employees accountable for their growth, development, actions, and outcomes—as they relate to anti-racism and racial equity.”<sup>271</sup> CSD is also “[o]perationalizing racial equity—implementing restorative practices; working to increase and retain staff members with diverse backgrounds; and consistently

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<sup>264</sup> *Id.*

<sup>265</sup> *A Brief History of Our Equity Work*, *supra* note 83.

<sup>266</sup> *Id.*

<sup>267</sup> *2022–2023 Newsletters*, CITY SCHS. OF DECATUR, <https://web.archive.org/web/20250123143823/https://equity.csdecatur.net/equity-resources-newsletters/newsletters> (archived by Way Back Machine on January 23, 2025).

<sup>268</sup> *E.g.*, EQUITY @ CSD, VOL. 1, at 1 (City Schs. of Decatur, Decatur, G.A.), Sep. 2022 (enclosed with this complaint as Appendix G).

<sup>269</sup> *Id.*

<sup>270</sup> *Id.* at 2.

<sup>271</sup> *Id.*



reviewing and revising practices and procedures to: ensure equitable outcomes for all, cultivate inclusivity, and make sure our students are safe, seen, and successful.”<sup>272</sup>

It is crucial to emphasize that, just after CSD points out that “equity” is not the same as “equality,” it commits itself to “racial equity,” which is assuredly not the same as “racial equality.” In other words, CSD blatantly commits itself to providing unequal treatment *based on race* to prioritize the outcomes of “historically marginalized” (i.e., black and presumably other racial-minority) students.

The September 2022 newsletter declares, “CSD is like far too many other school systems in the US in that our black students are suffering the abhorrent outcomes of our education debt. We have committed to correct this wrong by making fundamental changes to eliminate systemic racism in our institution. This work involves many facets such as transforming values, creating culture, and changing policies and practices.”<sup>273</sup>

In its December 2022 *Equity @ CSD* newsletter, CSD includes a diagram of a “white supremacy culture pyramid.”<sup>274</sup> A dividing line bisects a pyramid filled with terms relating to phenomena ranging from the worst forms of racial violence to slogans and platitudes. Above the line, the diagram identifies the following types of “Overt White Supremacy (Socially Unacceptable)”:

*Lynching*  
*Hate Crimes*  
*Blackface*  
*The N-word*  
*Swastikas*  
*Neo-Nazis*  
*Burning Crosses*  
*Racist Jokes*  
*Racial Slurs*  
*KKK*<sup>275</sup>

Below the dividing line, the diagram identifies the following types of “Covert White Supremacy (Socially Acceptable)”:

*Calling the Police on Black People*  
*White Silence*

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<sup>272</sup> *Id.*

<sup>273</sup> *Id.*

<sup>274</sup> EQUITY @ CSD, VOL. 4 (City Schs. of Decatur, Decatur, G.A.), Dec. 2022, at 1 (enclosed with this complaint as Appendix H).

<sup>275</sup> *Id.*



*Colorblindness*  
*White Parents Self-Segregating Neighborhoods & Schools*  
*Eurocentric Curriculum*  
*White Savior Complex*  
*Spiritual Bypassing*  
*Educating Funding from Property Taxes*  
*Discriminatory lending*  
*Mass Incarceration*  
*Respectability Politics*  
*Tone Policing*  
*Racist Mascots*  
*Not Believing Experiences of BIPOC*  
*Paternalism*  
*“Make America Great Again”*  
*Blaming the Victim*  
*Hiring Discrimination*  
*“Don’t Blame Me, I Never Owned Slaves”*  
*Police Murdering BIPOC*  
*Higher Infant & Mortality Rate for BIPOC*  
*“But What About Me?”*  
*“All Lives Matter”*  
*BIPOC as Halloween Costumes*  
*Denial of White Privilege*  
*Assuming Good Intentions Are Enough*  
*Cultural Appropriation*  
*Eurocentric Beauty Standards*  
*Anti-Immigration Policies*  
*Meritocracy Myth*  
*Celebration of Columbus Day*  
*Claiming Reverse-Racism*  
*Paternalism*  
*Weaponizing Whiteness*  
*Believing We Are “Post-Racial”*  
*“But We’re All One Big Human Family”/“There’s Only One Human Race”<sup>276</sup>*

Today, the newsletter says, white supremacy “has become a culture so pervasive that it is replicated by people from multiple cultural backgrounds who are either totally unaware that we have been programmed to believe that ‘white is right/best/beautiful,’ or, people who are aware but don’t care

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<sup>276</sup> *Id.*



or are having difficulty shutting down this implicit (and explicit) mental programming.”<sup>277</sup> “In sum,” says CSD, “throughout this newsletter, when you see the term ‘white supremacy culture (WSC),’ it refers to ways in which the ruling class in the U.S. uses the social construct of race to create and elevate Whiteness, the way many white people who are not part of the ruling class reinforce the culture because they believe that they benefit from it, and the ways others of us have been so indoctrinated that we reinforce the culture without even meaning to do so.”<sup>278</sup>

The newsletter describes the interaction of “Intersectionality” with “White Supremacy Culture” as follows:

*White supremacy culture rarely stands alone. It often works together with and supports, reinforces, and reproduces capitalism, class oppression, gender oppression, heterosexism, ableism, and Christian privilege—just to name a few of it’s [sic] friends. For example, classism tells us the rich work for it and the poor do not, while it reproduces WSC through a racially disparate reproduction of wealth and exploitation of labor. In another example, Christian hegemony teaches us that Christians (and white Christians at that) are divinely capable of shaping and defining reality for the rest of us. (Remember Manifest Destiny? or Dobbs v. Jackson?) Such factors intersect with WSC to clearly indicate who is given worth in US society and who is not.*<sup>279</sup>

The newsletter warns that “WSC and its corresponding attitudes don’t belong to only one ideology, one political party, or one particular geographical location. These attitudes exist across different regions, socio-economic classes, income levels, education groups, and political affiliations. Since both anti-blackness and white supremacy are baked into our country’s foundation, they often play out in our daily lives and this includes school.”<sup>280</sup> As an example, CSD specifically calls out its white female educators as part of the problem: “When white women call administrators or SROs and say they are ‘afraid of their black students,’ they receive focused attention that frequently results in swift and punitive measures for students. It’s imperative that white female educators, especially, recognize this pattern, actively work with their biases, and develop relationships with their Black students so that they react more thoughtfully when issues arise.”<sup>281</sup>

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<sup>277</sup> *Id.*

<sup>278</sup> *Id.*

<sup>279</sup> *Id.* at 2.

<sup>280</sup> *Id.*

<sup>281</sup> *Id.*



The newsletter states that the curriculum taught by CSD is racially biased:

*Education is never a value-neutral endeavor. In a final example of WSC, we teach an explicit curriculum every day—the GA Standards of Excellence. However, we also teach an implicit and null curriculum. For hundreds of years, the histories and true stories of marginalized people have been left out of our “standards of excellence.” Doing so has bolstered WSC and conveyed a clear message to generations of students about whose lives actually matter.<sup>282</sup>*

The May 2023 issue of *Equity @ CSD* compares “anti-racism” to broccoli, describing it as “a superfood for your mind and soul” that “[y]ou have to make . . . a part of your everyday life.”<sup>283</sup> CSD places a special onus on white students to engage in “anti-racist” work:

*What POGM [People of the Global Majority] really need white people to do is consciously, consistently, and intentionally unlearn racism. It’s no secret that shame and guilt go hand in hand with unlearning racism—but you can’t do this work in any meaningful or truthful way without experiencing these feelings and—you will feel uncomfortable. Trying to do anti-racism work while remaining comfortable and actively avoiding your feelings, is just not possible.<sup>284</sup>*

The newsletter also charges “POGM” with “work[ing] to be anti-racist by intentionally dedicating our efforts toward unlearning any internalized racism and de-elevating our internalized whiteness, racism, or bias toward other POGM.”<sup>285</sup>

The newsletter offers several tips for countering white supremacy, including “[w]ork on [y]our [r]acial ID [d]evelopment,” which it describes as “challeng[ing] white supremacy inside yourself and becom[ing] familiar with who you are as a racialized being,” and “[d]on’t be [a]fraid to be [w]oke.”<sup>286</sup> In line with CCAR training, the newsletter also recommends “[e]xamin[ing] the presence and role of whiteness,” meaning “[u]npacking the way whiteness shows up in a conversation,” which “allows us to interrogate how [white] culture is influencing the issues we are discussing as well as the very discussion itself.”<sup>287</sup>

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<sup>282</sup> *Id.*

<sup>283</sup> EQUITY @ CSD, VOL. 9 (City Schs. of Decatur, Decatur, G.A.), May 2023, at 1 (enclosed with this complaint as Appendix I).

<sup>284</sup> *Id.* at 2.

<sup>285</sup> *Id.*

<sup>286</sup> *Id.*

<sup>287</sup> *Id.*



## *CSD Land Acknowledgment*

The CSD Equity Website contained a “land acknowledgment,” reproduced in full below:

*It is important to recognize the longstanding history that has brought us to reside on the land which encompasses City Schools of Decatur and to seek to understand our place within that history. Land acknowledgments do not exist in a past tense or historical context: U.S. colonialism is a current, ongoing process, and we demonstrate mindfulness of that fact through this act. We stand in solidarity with Indigenous People; we acknowledge their sovereignty, culture, and enduring presence and we call for the repatriation of their land across Turtle Island.*

*CSD is on land that belongs to the Muscogee Creek. Muscogee ancestors built expansive towns and inhabited the present states of Alabama, Georgia, Florida, and South Carolina for thousands of years. Yet, from 1739–1832 this indigenous population experienced involuntary removal from their land through many colonizing and genocidal actions; one of which was called “Indian land cession” (see below for an excerpt). This is just one example from a series of broken treaties and institutionally racist actions by the State of Georgia and the United States Government who carried out genocide, ethnic cleansing, and forced removal against the Creek as a way to acquire land. Yet, despite all efforts to remove the population, this is still land under the stewardship of the Indigenous peoples of this area. It will always be so.*

*Indigenous people are not relics of the past. They are still here and they continue to demonstrate their talents and gifts amidst a backdrop of systemic colonialism and oppression. The Muscogee Nation is the fourth largest tribe in the U.S. with 86,100 citizens and the Tribal headquarters of the Creek Nation is now located in Okmulgee, Oklahoma.*

*We honor and respect the indigenous people still connected to Turtle Island, the U.S., GA, Decatur, and the land on which we educate young people today. We stand with them as we take this moment to appreciate our place in their human family.<sup>288</sup>*

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<sup>288</sup> *CSD Land Acknowledgment*, CITY SCHS. OF DECATUR, <https://web.archive.org/web/20250123141921/https://equity.csdecatur.net/equity-resources-newsletters/csd-land-acknowledgement> (archived by Way Back Machine on January 23, 2025).

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On November 19, 2024, two weeks after the reelection of President Donald J. Trump, the CSD Board of Education hosted a retreat at Decatur High School during which Superintendent Whitaker delivered a presentation entitled “Equitable Outcomes for All Students.”<sup>295</sup>

Whitaker told the board that, in August and September 2023, she attended equity team meetings to learn more about the equity efforts of the school district. There, she encountered language (which she showed the board on one of her presentation slides),<sup>296</sup> apparently from anti-racist training assessments of district staff, that referred to “Anti-Blackness, Whiteness/White Supremacy” and “Systemic Oppression, Anti-Racism.” Statements, questions, and assessments discussed at those meetings included:

*I can identify and confront anti-Blackness and whiteness/white supremacy culture when it shows up in my instructional practices or interactions with students, personally, locally, and immediately.*

*What characteristic(s) of white supremacy culture has/have been a barrier(s) to student engagement in your role or building?*

*If non-White, are aware of how their internalized (conscious or unconscious) racism/bias/oppression can manifest in deficit perspectives of students. If White, are aware of how their internalized (conscious or unconscious) bias/racism can manifest in deficit perspectives of students.*

*What is one way that you have individually perpetuated anti-Blackness and/or white supremacy culture in your role since our training in July?*<sup>297</sup>

At the retreat, Whitaker acknowledged that Georgia House Bill 1084, which prohibits public school teachers in the state from teaching certain “divisive concepts,” “flies in the face of what I

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<sup>295</sup> *Board Retreat: 11/19/2024—10:00 AM, V. Equitable Outcomes for Students*, CITY SCHS. OF DECATUR, [https://simbli.eboardsolutions.com/SB\\_Meetings/ViewMeeting.aspx?S=4052&MID=121352&Tab=Agenda&enIID=K6XWloBKCGfB4Y24Hu1F8Q%3D%3D](https://simbli.eboardsolutions.com/SB_Meetings/ViewMeeting.aspx?S=4052&MID=121352&Tab=Agenda&enIID=K6XWloBKCGfB4Y24Hu1F8Q%3D%3D); DR. GYIMAH WHITAKER, SUPERINTENDENT, CITY SCHS. OF DECATUR, *EQUITABLE OUTCOMES FOR ALL STUDENTS 1 (2024)*, <https://simbli.eboardsolutions.com/Meetings/Attachment.aspx?S=4052&AID=1727242&MID=121352>.

<sup>296</sup> *Board of Education Retreat*, *supra* note 57, at 03:43:17.

<sup>297</sup> WHITAKER, *supra* note 295, at 15.



saw in the equity team meeting,” and, in fact, the law specifically calls out some of the language that CSD staff was using in the meeting.<sup>298</sup> “And law trumps policy every day of the week.”<sup>299</sup>

Whitaker then discussed the potential risks related to the incoming president’s election and the forthcoming priorities of his administration:

*So now, it’s November 2024, specifically two weeks ago[,] . . . we’re talking about eliminating the Department of Education at the federal level . . . . And [an Atlanta Journal-Constitution] article specifically talks about how that law is going to put all the funding to do all of the things that we talked about from this table at risk.*

*So House Bill 1084 says we’re going after your [state funding] if you are espousing what the lawmakers label divisive concepts—the concepts in red in that spoken sequence.*

*So now, I’m a leader, so I’ve got to figure out how can we still do equity, but we can’t do it the way we’ve been doing it. Because not only is it for the black students that I was asked to look into, but realize your federal dollars come for all of your special education students as well.<sup>300</sup>*

Turning to a slide featuring a November 15 media story regarding the president-elect’s plans to dismantle the U.S. Department of Education, Whitaker continued:

*So what does that say? That says to me, as the CEO of the City Schools of Decatur, I can’t be the person who puts us at risk and puts the target on our backs even larger, because, guess what, the state is actually here already, and what are they actually talking about. They’re talking about this.<sup>301</sup>*

Whitaker made clear during her presentation that her vision of “equity” in CSD—focused on closing discipline and achievement disparities between black and white students while jettisoning some of the extreme racial rhetoric from district trainings and teaching—definitively does not mean reducing the district’s focus on “marginalized” (e.g., black) students. On the contrary, when questioned by CSD Board of Education member regarding whether she planned to only focus the district’s work on equitable outcomes, Whitaker pushed back: “I’m saying that [equity] has to be interwoven in everything.”<sup>302</sup>

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<sup>298</sup> *Board of Education Retreat, supra* note 57, at 03:45:06.

<sup>299</sup> *Id.* at 03:46:19.

<sup>300</sup> *Id.* at 03:46:26.

<sup>301</sup> *Id.* at 03:48:10.

<sup>302</sup> *Id.* at 03:57:37.



For that reason, she proposed hiring an “Equitable Outcomes Executive Director,” who would, among other things, “[o]versee the development and implementation of a comprehensive Equity and Student Outcome Plan which builds upon the current board-adopted Equity Policy (BAC)” and “[a]ssist schools with identification of needs and areas of growth and assessment of student outcomes to include marginalized populations.”<sup>303</sup> The “equitable outcomes” focus would include supporting “the development and implementation of evidence-based strategies to close achievement gaps, with a focus on marginalized student groups”; pushing staff “to mitigate the impetus of subgroups to inappropriate special education evaluations”; and offer “coaching in the use of classroom management and behavior support strategies to *promote equity and diminish implicit bias in disciplinary practices*.”<sup>304</sup> She added, “As a black woman, there is no way in the world I wouldn’t want any child not to feel safe, seen, or successful, but I can’t do it the way it was done before.”<sup>305</sup>

One of Whitaker’s slides, labeled “Investment in Equity 2018–2025,” shows combined spending on equity by CSD from fiscal year 2018 to 2024 of \$726,734—compared to \$491,389 CSD had budgeted for equity efforts in fiscal year 2025 alone.<sup>306</sup>

Since 2023, CSD has periodically published a newsletter, called “Supe Scoop,” featuring a note from the superintendent and news and updates from the school district. The January/February 2025 Supe Scoop included a note assuring students and families that the district would not alter its policies or practices in response to what it referred to as “recent federal changes”:

*I want to reassure you that as directed by our local Board of Education, we will continue to support our teachers and staff in implementing the established board policies and district regulations that reflect the Decatur community’s values of*

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<sup>303</sup> WHITAKER, *supra* note 295, at 35.

<sup>304</sup> *Id.* at 39 (emphasis in original).

<sup>305</sup> *Board of Education Retreat*, *supra* note 57, at 04:11:51.

<sup>306</sup> WHITAKER, *supra* note 295, at 28. The slide implies that this figure “includes salaries and operational expenditures,” but a local media outlet reported in October 2024 that, according to documents received pursuant to a records request, CSD spent \$611,660 on its equity initiatives from 2015 to June 2024, plus staff salaries of approximately \$1.8 million between 2017 and 2024. Zoe Seiler, *Decatur Schools’ Equity Efforts Refocused After Previous Work Didn’t Close Achievement Gap*, DECATURISH (Oct. 22, 2024), [https://www.decatrish.com/news/decatrish/decatrish-schools-equity-efforts-refocused-after-previous-work-didn-t-close-achievement-gap/article\\_ba1a2e6a-5b94-53a4-b32d-4ecc0b4cdb55.html](https://www.decatrish.com/news/decatrish/decatrish-schools-equity-efforts-refocused-after-previous-work-didn-t-close-achievement-gap/article_ba1a2e6a-5b94-53a4-b32d-4ecc0b4cdb55.html). Because Whitaker’s slide records an expense of only \$3,000 on equity in 2018—the year after the district had hired Dr. Huddleston as its equity director—it is highly unlikely that the slide reflects staff salaries. See WHITAKER, *supra* note 295, at 28.



*inclusive and engaging learning environments that foster trust, understanding, and respect for all. We will also adhere to state and federal laws protecting students.*<sup>307</sup>

The April/May 2025 Supe Scoop was more explicit in its reference to “the wave of executive orders initiated on January 22, 2025, aimed at eliminating DEI initiatives in all federally funded institutions, including K–12 schools.”<sup>308</sup> The newsletter again signaled no changes to the district’s equity policies and practices in response to these directives:

*As we continue to navigate these rapid changes, I continue to appreciate our community's partnership and engagement as we strive toward ensuring equitable outcomes for all students. Our priority remains to provide high-quality instruction, resources and services in safe, nurturing and supportive learning environments where all students are successful.*

*All still means All in CSD.*<sup>309</sup>

### **2025 CSD Board of Education Votes on “Gender Identity” and Equity Policies**

At a meeting on April 15, 2025, the CSD Board of Education considered an emergency measure proposed by CSD Board attorney Bob Wilson. Wilson informed the Board that the U.S. Department of Education had set a deadline of April 22 for the Georgia Department of Education to certify that it and the school districts in the state were in compliance with federal civil rights law, including Title IX and Title VI, or risk the withholding of federal funding.<sup>310</sup> According to Wilson’s statement to the Board, the Department “has interpreted the Supreme Court decision in [*Students for Fair Admissions v. Harvard* case, discussed *infra*] far beyond, in your lawyer’s opinion, as well as many other lawyers’ opinions, its holding. Like many other school attorneys, we totally disagree with that interpretation and disagree with the administration on it, and its applicability particularly to the Civil Rights Act of 1964 in its amendments.”<sup>311</sup> However, in accordance with his duty to represent the district “and give it the best legal advice we can,” Wilson

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<sup>307</sup> Dr. Gyimah Whitaker, *A Message from the Superintendent*, SUPE SCOOP (City Schs. of Decatur, Decatur, G.A.), Jan./Feb. 2025, <https://app.smore.com/n/hck9s>.

<sup>308</sup> Dr. Gyimah Whitaker, *A Message from the Superintendent*, SUPE SCOOP (City Schs. of Decatur, Decatur, G.A.), Apr./May 2025, <https://app.smore.com/n/xjcbz>.

<sup>309</sup> *Id.*

<sup>310</sup> CITY SCHS. OF DECATUR, *April 15, 2025 Board of Education Meeting*, at 04:13:39 (YouTube, Apr. 16, 2025), <https://www.youtube.com/watch?v=lf6CggqZUgY&list=PLtkZsZ9W0py0HiDpxYZHIVRTRduqlCXPQ&index=9> [hereinafter *April 15, 2025 Board of Education Meeting*].

<sup>311</sup> *Id.* at 04:15:28.



stated that “it is our recommendation that you amend certain policies and that you rescind certain policies in order to be in compliance.”<sup>312</sup>

Wilson thus proposed that the Board act immediately to rescind two policies—Policies BAB and BAC.<sup>313</sup> Wilson also recommended that the Board revise three policies—entitled “Equal Opportunity Employment,” “Gender Equity in Sports,” and “Equal Educational Opportunities”—for the purpose of removing all references to “equity” in those policies.<sup>314</sup>

In response to the board attorney’s advice, multiple CSD Board members voiced their extreme displeasure with having to rescind Policies BAB and BAC and signaled their expectations that, despite the rescissions, CSD staff would continue their race-based work in the school district. Board member statements included the following:

- *I find this repugnant in every possible way that we’ve heard from any community member tonight. I also believe that words matter, but I don’t think words matter more than kids. It’s not stopping us from doing the work—it’s stopping us from using the words. . . . This [withdrawal of funding] will gut critical programs for kids. . . . I buy the argument that this is nonsense, that this isn’t legal, this is going to be overturned, this isn’t going to stand. But that’s not going to happen right away. It will be a substantial chunk of time.*<sup>315</sup>
- *I find the orders vile, but because of the risk to our kids, I support compliance, not conformity (there is a difference) with these changes.*<sup>316</sup>
- *I think none of this is anything that we sought out. It was brought to our table and I think it is the case that we are sitting here with two very impossible decisions neither of which are in any pathway to where we wish to go. . . . I . . . hope that ultimately we are able to leave here and lean on our community stakeholders to find some viable solutions because what we cannot do is make rash decisions and then expect that we have viable answers at the end. And that’s some of what we’re trying to solve here today is to come up with long-term solutions and not short-term ones. . . . I sincerely hope that community members instead of thinking of ways that they can tear down our decision-making that they join us in finding a solution to these problems including how*

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<sup>312</sup> *Id.* at 04:17:12.

<sup>313</sup> *Regular Monthly Meeting: 04/15/2025—03:55 PM, CITY SCHS. OF DECATUR, [https://simbli.eboardsolutions.com/SB\\_Meetings/ViewMeeting.aspx?S=4052&MID=124736](https://simbli.eboardsolutions.com/SB_Meetings/ViewMeeting.aspx?S=4052&MID=124736).*

<sup>314</sup> *Id.*

<sup>315</sup> *April 15, 2025 Board of Education Meeting, supra* note 310, at 04:24:19.

<sup>316</sup> *Id.* at 04:25:47.



*we can support all students that would benefit from funding if we should lose it or ways that we could benefit from these policies going forward and improve them.*<sup>317</sup>

Ultimately, for the purpose of avoiding the withdrawal of at least \$3 million in federal funding,<sup>318</sup> the CSD Board of Education voted to rescind and revise the equity-related policies.<sup>319</sup>

Following that vote, CSD staff informed the board members that its legal team would revise three regulations—including Regulation JAA-R(2), which contains CSD policies with respect to “gender identity.”<sup>320</sup> CSD revised Regulation JAA-R(2) on April 21, 2025. The only change that CSD administrators made to that regulation that is relevant to this complaint is the following:

2023 version of Regulation JAA-R(2): “The district recognizes its responsibilities in accordance with applicable laws [such as Title VI and Title IX] to ensure that all individuals in a multicultural and diverse society have an equal opportunity in all aspects of the operation of the school system. Therefore, [CSD] shall actively promote equity in all academic and co-curricular programs.”<sup>321</sup>

Current version of Regulation JAA-R(2): “The district recognizes its responsibilities in accordance with applicable laws [such as Title VI and Title IX] to ensure that all individuals have an equal opportunity in all aspects of the operation of the school system.”<sup>322</sup>

On April 29, 2025, following the issuance of preliminary injunctions by three federal courts blocking the enforcement of Trump administration policies related to Title VI and Title IX, the

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<sup>317</sup> *Id.* at 04:27:19.

<sup>318</sup> *Id.* at 04:20:00.

<sup>319</sup> *Id.* at 04:29:15.

<sup>320</sup> *Id.* at 04:34:58.

<sup>321</sup> CITY SCHS. OF DECATUR, REGULATION JAA-R(2): EQUAL EDUCATIONAL OPPORTUNITIES 4 (2023), <https://simbli.eboardsolutions.com/Meetings/Attachment.aspx?S=4052&AID=1566877&MID=113098> [hereinafter 2023 REGULATION JAA-R(2)] (presented to the CSD Board of Education on October 10, 2023).

<sup>322</sup> REGULATION JAA-R(2), *supra* note 9. Other revisions CSD made to the regulation made clear, unlike the original regulation, that “[s]chool staff will comply with state and federal law regarding disclosure [of information related to a student’s “gender identity”] to the student’s parents and will provide requested information to parents” and “[p]arents will continue to have access to their student’s education records in accordance with FERPA.” *Compare id.* (containing these provisions) *with* 2023 REGULATION JAA-R(2) (not containing those provisions).



CSD Board of Education convened a special session.<sup>323</sup> At that meeting, the board unanimously approved the reinstatement of the policies that it had amended and rescinded at the meeting two weeks earlier.<sup>324</sup>

## Federal Law and Recent Developments Under Title IX and Title VI

### *Title IX and the Meaning of “Sex”*

Title IX provides: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance,” subject to certain statutory exceptions.<sup>325</sup> The law includes a rule of construction specifying that “nothing contained herein shall be construed to prohibit any educational institution receiving funds under this Act, from maintaining separate living facilities for the different sexes.”<sup>326</sup>

The law also includes a provision directing federal agencies, including the Department, that provide federal financial assistance to education programs or activities to implement Title IX’s nondiscrimination mandate by “issuing rules, regulations, or orders of general applicability” applying the law and to effect compliance with these rules by withdrawing funding from federal funding recipients or “by any other means authorized by law.”<sup>327</sup> In 1974, Congress adopted the “Javits Amendment,” which required the Department’s predecessor to promulgate regulations to effectuate Title IX that included “with respect to intercollegiate athletic activities reasonable provisions considering the nature of particular sports.”<sup>328</sup>

Since the Department’s predecessor first issued regulations in 1975 pursuant to these directives,<sup>329</sup> Title IX regulations have permitted recipients of federal education funding to “provide separate, toilet, locker room, and shower facilities on the basis of sex” as long as “such facilities provided

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<sup>323</sup> *Special Called Meeting: 04/29/2025—04:30 PM, III. Policy*, CITY SCHS. OF DECATUR, [https://simbli.eboardsolutions.com/SB\\_Meetings/ViewMeeting.aspx?S=4052&MID=125489&Tab=Agenda&enIID=dOstX2VwXx2IIIfCNGxdyg%3D%3D](https://simbli.eboardsolutions.com/SB_Meetings/ViewMeeting.aspx?S=4052&MID=125489&Tab=Agenda&enIID=dOstX2VwXx2IIIfCNGxdyg%3D%3D).

<sup>324</sup> *Id.*

<sup>325</sup> 20 U.S.C. § 1681(a).

<sup>326</sup> 20 U.S.C. § 1686.

<sup>327</sup> 20 U.S.C. § 1682.

<sup>328</sup> Pub. L. No. 93-380, Title VIII, Part D, § 844, 88 Stat. 612.

<sup>329</sup> See U.S. Dep’t of Health, Educ., & Welfare, *Nondiscrimination on the Basis of Sex Under Federally Assisted Education Programs and Activities*, 40 Fed. Reg. 24,128 (June 4, 1975) (codified at 45 C.F.R. pt. 86). The Department of Education, created in 1979, formally adopted and recodified the 1975 regulations without substantive changes when it began operations in 1980. 45 Fed. Reg. 30,802, 30,955–65 (May 9, 1980) (codified at 34 C.F.R. pt. 106).



for students of one sex” are “comparable to such facilities provided for students of the other sex.”<sup>330</sup> These regulations have also specifically prohibited discrimination on the basis of sex in recipients’ athletic programs, while permitting them to operate separate teams “for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport.”<sup>331</sup>

It is beyond serious debate that, as used throughout Title IX, the word “sex” refers to a person’s biological sex—male or female—at birth.<sup>332</sup> As the Supreme Court recognized merely a year after Title IX’s passage, “[s]ex, like race and origin, is an immutable characteristic determined solely by the accident of birth.”<sup>333</sup> Most recently, in denying an application for a stay of two injunctions blocking the Department’s 2024 Rule, a *per curiam* opinion of the U.S. Supreme Court confirmed this understanding of Title IX by noting that, “[i]mportantly, all Members of the Court today accept that the plaintiffs [challenging the 2024 Rule] were entitled to preliminary injunctive relief as to three provisions of the rule, including the central provision that newly defines sex discrimination to include discrimination on the basis of sexual orientation and gender identity.”<sup>334</sup>

### ***Equal Protection Clause and Title VI***

According to the 14th Amendment to the U.S. Constitution, “No State shall . . . deny to any person within its jurisdiction the equal protection of the laws.”<sup>335</sup> Title VI states, “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.”<sup>336</sup> The Supreme Court has concluded that the prohibition of racial

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<sup>330</sup> 34 C.F.R. § 106.33.

<sup>331</sup> 34 C.F.R. § 106.41(a)–(b).

<sup>332</sup> See *Louisiana v. Dep’t of Educ.*, Amended Complaint, No. 3:24-CV-00563-TAD-KDM, at 10 (May 3, 2024) (citing *Frontiero v. Richardson*, 411 U.S. 677, 686 (1973) (plurality op.); *Sex*, WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY 2081 (1966) (“one of the two divisions of organic esp. human beings respectively designated male or female”); *Sex*, WEBSTER’S NEW WORLD DICTIONARY (1972) (“[E]ither of the two divisions, male or female, into which persons, animals, or plants are divided, with reference to their reproductive functions.”); *Sex*, AMERICAN HERITAGE DICTIONARY 1187 (1969) (“a. The property or quality by which organisms are classified according to their reproduction functions. b. Either of two divisions, designated *male* and *female*, of this classification.”)).

<sup>333</sup> *Frontiero v. Richardson*, 411 U.S. 677, 686 (1973).

<sup>334</sup> *Dep’t of Educ. v. Louisiana*, No. 24A78, slip op. at 2 (U.S. Aug. 16, 2024).

<sup>335</sup> U.S. CONST. amend. XIV, § 1.

<sup>336</sup> 42 U.S.C. § 2000d.



classifications by Title VI is co-extensive with the same prohibition by the Equal Protection Clause.<sup>337</sup>

The Supreme Court has repeatedly rejected the use of race as a factor in affording educational opportunities.<sup>338</sup> In the seminal case *Brown v. Board of Education*, the Court held that “the opportunity of an education . . . is a right which must be made available to all on equal terms.”<sup>339</sup> The Court reiterated that constitutional guarantee in 2023 in the case *Students for Fair Admissions v. Harvard*, declaring that “[d]istinctions between citizens solely because of their ancestry are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality. That principle cannot be overridden except in the most extraordinary case.”<sup>340</sup>

Though the immediate question presented before the Court in *Students for Fair Admissions* related to university admissions schemes that treated applicants differently based on race, the Court’s conclusions transcended postsecondary admissions to apply to all race-based treatment by governments (or private institutions to which Title VI applies). “We have time and again forcefully rejected the notion that government actors may intentionally allocate preference to those who may have little in common with one another but the color of their skin,” pronounced the Court,<sup>341</sup> and “at the heart of the Constitution’s guarantee of equal protection lies the simple command that the Government must treat citizens as individuals, not as simply components of a racial, religious, sexual or national class.”<sup>342</sup>

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<sup>337</sup> See *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 198 n.2 (2023) (“We have explained that discrimination that violates the Equal Protection Clause of the Fourteenth Amendment committed by an institution that accepts federal funds also constitutes a violation of Title VI.”) (internal quotation marks omitted) (citing *Gratz v. Bollinger*, 539 U.S. 244, 276 n.23 (2003)); *Regents of Univ. of Cal. v. Bakke*, 438 U.S. 265, 287 (1978) (opinion of Powell, J.), cited by *Grutter v. Bollinger*, 539 U.S. 306, 343 (2003).

<sup>338</sup> See, e.g., *Students for Fair Admissions*, 600 U.S. at 208; *Parents Involved in Cmty. Schs. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701 (2007) (“For schools that never segregated on the basis of race, such as Seattle, or that have removed the vestiges of past segregation, such as Jefferson County, the way to achieve a system of determining admission to the public schools on a nonracial basis is to stop assigning students on a racial basis. The way to stop discrimination on the basis of race is to stop discriminating on the basis of race.”) (internal quotation marks omitted) (citing *Brown v. Bd. of Educ.*, 349 U.S. 294, 300–01 (1954) (*Brown II*)).

<sup>339</sup> *Brown v. Board of Educ.*, 347 U.S. 483, 493 (1954) (*Brown I*).

<sup>340</sup> *Students for Fair Admissions*, 600 U.S. at 208 (internal quotation marks citations omitted) (quoting *Rice v. Cayetano*, 528 U.S. 495, 517 (2000)).

<sup>341</sup> *Id.* at 220 (quoting *Shaw v. Reno*, 509 U.S. 630, 647 (1993)) (internal quotation marks omitted).

<sup>342</sup> *Id.* at 223 (quoting *Miller v. Johnson*, 515 U.S. 900 (1995)) (internal quotation marks omitted).

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Consequently, when a state or subsidiary institution treats individuals differently based on a racial classification, such an “exception to the Constitution’s demand for equal protection must survive a daunting two-step examination known in our cases as ‘strict scrutiny.’”<sup>343</sup> To satisfy that standard of review, the government must show that its racial classifications are “used to further compelling governmental interests” and that its “use of race is narrowly tailored—meaning ‘necessary’—to achieve that interest.”<sup>344</sup>

This standard of strict scrutiny must be applied to any racial classification made by a public school system or public school, no matter the particular race or ethnicity of those who allegedly benefit from such a classification or how benign the government entity implementing the classification may characterize it to be. This is because “the Equal Protection Clause . . . applies without regard to any differences of race, of color, or of nationality—it is universal in its application.”<sup>345</sup> As the Supreme Court has concluded:

*[E]mphasis on “benign racial classifications” suggests confidence in [one’s] ability to distinguish good from harmful governmental uses of racial criteria. History should teach greater humility. . . . “[B]enign” carries with it no independent meaning, but reflects only acceptance of the current generation’s conclusion that a politically acceptable burden, imposed on particular citizens on the basis of race, is reasonable.*<sup>346</sup>

### ***The Rise and Fall of the 2024 Title IX Rule***

On April 29, 2024, the Department finalized a broad set of regulations implementing Title IX, with an effective date of August 1, 2024.<sup>347</sup> Those amendments misinterpreted the law’s prohibition of “discrimination on the basis of sex” to prevent discrimination on the basis of an undefined “gender identity” in federally funded education programs and activities.<sup>348</sup> As a result, the 2024 Rule required recipients to prohibit discrimination on the basis of “gender identity” in all of their programs and activities, including in their athletic programs, and to allow any person to use

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<sup>343</sup> *Id.* at 184 (citing *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200, 227 (1995)).

<sup>344</sup> *Id.* (internal quotation marks omitted) (citing *Grutter v. Bollinger*, 539 U.S. 306, 326 (2003); *Fisher v. University of Tex. at Austin*, 570 U.S. 297, 311–312 (2013)).

<sup>345</sup> *Id.* (citing *Yick Wo v. Hopkins*, 118 U.S. 356, 369 (1886)).

<sup>346</sup> *Metro Broad. v. FCC*, 497 U.S. 547, 609–610 (O’Connor, J., dissenting), *quoted with approval in Parents Involved*, 551 U.S. at 742.

<sup>347</sup> U.S. Dep’t of Educ., *Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance*, 89 Fed. Reg. 33,474, 33,474 (Apr. 29, 2024) (hereinafter “2024 Rule”).

<sup>348</sup> *Id.* at 33,886 (codified at 34 C.F.R. § 106.10).

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whichever sex-separated bathroom or locker room corresponded with that person’s claimed “gender identity.”<sup>349</sup>

Federal district courts and courts of appeals across the country blocked the 2024 Rule because it contradicted Title IX and subverted a primary purpose of the law—to guarantee equal opportunities to women and girls in education—by expanding the scope of the law to apply to “gender identity” discrimination and requiring schools to permit males who identify as female to share bathrooms, locker rooms, and other sex-separated private facilities with women and girls.<sup>350</sup> On August 16, 2024, the Supreme Court unanimously agreed that a preliminary injunction blocking the 2024 Rule’s “gender identity” provisions and the dramatic expansion of the regulatory definition of “sexual harassment” was an appropriate measure.<sup>351</sup>

On January 9, 2025, the U.S. District Court for the Eastern District of Kentucky vacated the 2024 Rule in full because, among other unlawful aspects of the rule, the regulations misinterpreted the word “sex” in Title IX to apply to “gender identity”<sup>352</sup> and overruled Title IX’s explicit recognition that schools may separate certain facilities and programs on the basis of sex in the interest of safety, privacy, and equal opportunity.<sup>353</sup> On February 19, 2025, the U.S. District Court for the Northern District of Texas also vacated the 2024 Rule on many of the same grounds, including that “expanding the meaning of ‘on the basis of sex’ to include ‘gender identity’ turns Title IX on its head” and the 2024 Rule’s standard forcing schools to allow males to access female bathrooms and other intimate spaces “is arbitrary in the truest sense of the word.”<sup>354</sup>

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<sup>349</sup> *Id.* at 33,887 (codified at 34 C.F.R. § 106.31(a)(2)); *id.* at 33,818 (denying “a transgender student access to a sex-separate facility or activity consistent with that student’s gender identity . . . would violate Title IX’s general nondiscrimination mandate”).

<sup>350</sup> See *Tennessee v. Cardona*, No. 24-5588, 2024 WL 3453880 (6th Cir. July 17, 2024); *Louisiana v. Dep’t of Educ.*, No. 24-30399, 2024 WL 3452887 (5th Cir. July 17, 2024); *Oklahoma v. Cardona*, No. CIV-24-00461-JD, 2024 WL 3609109 (W.D. Okla. July 31, 2024); *Arkansas v. Dep’t of Educ.*, No. 4:24-CV-636-RWS, 2024 WL 3518588 (E.D. Mo. July 24, 2024); *Carroll Indep. Sch. Dist. v. Dep’t of Educ.*, No. 4:24-cv-00461-O, 2024 WL 3381901 (N.D. Tex. July 11, 2024); *Texas v. United States*, No. 2:24-CV-86-Z, 2024 WL 3405342 (N.D. Tex. July 11, 2024); *Kansas v. Dep’t of Educ.*, No. 24-4041JWB, 2024 WL 3273285 (D. Kan. July 2, 2024); *Tennessee v. Cardona*, No. 2:24-072-DCR, 2024 WL 3019146 (E.D. Ky. June 17, 2024); *Louisiana v. Dep’t of Educ.*, No. 3:24-CV-00563, 2024 WL 2978786 (W.D. La. June 13, 2024).

<sup>351</sup> *Dep’t of Educ. v. Louisiana*, No. 24A78, slip op. at 2 (U.S. Aug. 16, 2024).

<sup>352</sup> *Tennessee v. Cardona*, No. 2:24-cv-00072-DCR-CJS, at 4–7 (E.D. Ky. Jan. 9, 2025).

<sup>353</sup> *Id.* at 7–8.

<sup>354</sup> *Carroll Indep. Sch. Dist. v. Dep’t of Educ.*, No. 4:24-cv-00461-O, at 5, 8 (N.D. Tex. Feb. 19, 2025).



### *The Administration's Correct Interpretation of Title IX and Title VI*

On January 20, 2025, the president signed Executive Order 14168, *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government* (“EO 14168”).<sup>355</sup> In that EO, the president declared that “[i]t is the policy of the United States to recognize two sexes, male and female,”<sup>356</sup> and defined “sex” for the purpose of Executive Branch interpretation and application of federal law as referring “to an individual’s immutable biological classification as either male or female.”<sup>357</sup> EO 14168 then directs all federal agencies and employees to “enforce laws governing sex-based rights, protections, opportunities, and accommodations to protect men and women as biologically distinct sexes,” giving all instances of “sex” and related terms the definitions set forth in the EO “when interpreting or applying statutes, regulations, or guidance . . . .”<sup>358</sup> Importantly, EO 14168 directs agencies to effect its policies “by taking appropriate action to ensure that intimate spaces designated for women, girls, or females (or for men, boys, or males) are designated by sex and not identity.”<sup>359</sup>

On January 23, 2025, the president signed Executive Order 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity* (“EO 14173”).<sup>360</sup> EO 14173 declared that “[i]llegal DEI and DEIA [diversity, equity, inclusion, and accessibility] policies not only violate the text and spirit of our longstanding Federal civil-rights laws, they also undermine our national unity, as they deny, discredit, and undermine the traditional American values of hard work, excellence, and individual achievement in favor of an unlawful, corrosive, and pernicious identity-based spoils system.”<sup>361</sup> For that reason and others, the president ordered “all executive departments and agencies . . . to terminate all discriminatory and illegal preferences, mandates, policies, programs, activities, guidance, regulations, enforcement actions, consent orders, and requirements” and “to enforce our longstanding civil-rights laws and to combat illegal private-sector DEI preferences, mandates, policies, programs, and activities.”<sup>362</sup> The EO requires the head of every federal agency to place in each contract or grant award “[a] term requiring such counterparty or recipient to certify that it does not operate any programs promoting DEI that violate any applicable Federal anti-discrimination laws.”<sup>363</sup> It also directs “the Attorney General and the Secretary of Education [to] jointly issue guidance to all State and local educational agencies that receive Federal funds . . . .”

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<sup>355</sup> Exec. Order No. 14,168, 90 Fed. Reg. 8615 (Jan. 30, 2025).

<sup>356</sup> *Id.* at 8615.

<sup>357</sup> *Id.*

<sup>358</sup> *Id.* at 8616.

<sup>359</sup> *Id.* at 8617.

<sup>360</sup> Exec. Order No. 14,173, 90 Fed. Reg. 8633 (Jan. 31, 2025).

<sup>361</sup> *Id.* at 8633.

<sup>362</sup> *Id.*

<sup>363</sup> *Id.* at 8634.



regarding the measures and practices required to comply with *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 600 U.S. 181 (2023).<sup>364</sup>

On January 29, 2025, the president signed Executive Order 14190, *Ending Radical Indoctrination in K–12 Schooling* (“EO 14190”).<sup>365</sup> Finding that “[i]mprinting anti-American, subversive, harmful, and false ideologies on our Nation’s children not only violates longstanding anti-discrimination civil rights law in many cases, but usurps basic parental authority,”<sup>366</sup> EO 14190 tasks the secretary of education, secretary of defense, and secretary of health and human services, in consultation with the attorney general, to develop an “Ending Indoctrination Strategy” that includes “eliminating Federal funding or support for illegal and discriminatory treatment and indoctrination in K–12 schools, including based on gender ideology and discriminatory equity ideology.”<sup>367</sup> The EO defines “discriminatory equity ideology” as one “that treats individuals as members of preferred or disfavored groups, rather than as individuals, and minimizes agency, merit, and capability in favor of immoral generalizations,” including by asserting:

- *Members of one race, color, sex, or national origin are morally or inherently superior to members of another race, color, sex, or national origin;*
- *An individual, by virtue of the individual’s race, color, sex, or national origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;*
- *An individual’s moral character or status as privileged, oppressing, or oppressed is primarily determined by the individual’s race, color, sex, or national origin;*
- *Members of one race, color, sex, or national origin cannot and should not attempt to treat others without respect to their race, color, sex, or national origin;*
- *An individual, by virtue of the individual’s race, color, sex, or national origin, bears responsibility for, should feel guilt, anguish, or other forms of psychological distress because of, should be discriminated against, blamed, or stereotyped for, or should receive adverse treatment because of actions committed in the past by other members of the same race, color, sex, or national origin, in which the individual played no part;*

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<sup>364</sup> *Id.* at 8635.

<sup>365</sup> Exec. Order No. 14,190, 90 Fed. Reg. 8853 (Feb. 3, 2025).

<sup>366</sup> *Id.* at 8853.

<sup>367</sup> *Id.* at 8854.



- *An individual, by virtue of the individual’s race, color, sex, or national origin, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion;*
- *Virtues such as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist or were created by members of a particular race, color, sex, or national origin to oppress members of another race, color, sex, or national origin; or*
- *The United States is fundamentally racist, sexist, or otherwise discriminatory.*<sup>368</sup>

In Executive Order 14201 dated February 5, 2025, *Keeping Men Out of Women’s Sports* (“EO 14201”),<sup>369</sup> the president directed the secretary of education to comply with the judicial vacatur of the 2024 Rule “and take other appropriate action to ensure this regulation does not have effect,” “take all appropriate action to affirmatively protect all-female athletic opportunities and all-female locker rooms” in line with Title IX, and “prioritize Title IX enforcement actions against educational institutions (including athletic associations composed of or governed by such institutions) that deny female students an equal opportunity to participate in sports and athletic events by requiring them, in the women’s category, to compete with or against or to appear unclothed before males.”<sup>370</sup> EO 14201 further requires all federal agencies to “review grants to educational programs and, where appropriate, rescind funding to programs that fail to comply with the policy” of not depriving women and girls of “fair athletic opportunities.”<sup>371</sup>

In light of the vacatur of the 2024 Rule, and consistent with EO 14168 and EO 14201, OCR issued a Dear Colleague Letter announcing the Department’s intentions with regard to the 2024 Rule (“2025 Title IX DCL”). Dated February 4, 2025, the letter stated that OCR “will enforce Title IX under the provisions of the 2020 Title IX Rule, rather than the 2024 Title IX Rule.”<sup>372</sup> Accordingly, the 2025 Title IX DCL explained that “open Title IX investigations initiated under the 2024 Title IX Rule should be immediately reevaluated to ensure consistency with the requirements of the 2020 Title IX Rule and . . . preexisting regulations . . . .”<sup>373</sup>

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<sup>368</sup> *Id.* at 8853–54.

<sup>369</sup> Exec. Order No. 14,201, 90 Fed. Reg. 9279 (Feb. 11, 2025).

<sup>370</sup> *Id.* at 9279.

<sup>371</sup> *Id.* at 9280.

<sup>372</sup> Craig Trainor, Acting Assistant Sec’y for C.R., U.S. Dep’t of Educ., Dear Colleague Letter, Feb. 4, 2025, at 1, <https://www.ed.gov/media/document/title-ix-enforcement-directive-dcl> (footnotes omitted).

<sup>373</sup> *Id.* at 2.



## *The Department's Recent Enforcement of Title IX*

### *Enforcement Actions Against Northern Virginia School Districts*

On July 25, 2025, OCR concluded its investigation of five school districts in Northern Virginia, finding that each school district maintained policies that violate Title IX because they “allow students to access intimate, sex-segregated facilities based on the students’ subjective ‘gender identity.’”<sup>374</sup> The investigations into these school districts were based in part on the fact that these school districts are “the subject of several lawsuits, informal complaints, and reports, which allege that students in the [districts] avoid using school restrooms whenever possible because of the schools’ policies . . . .”<sup>375</sup>

At the time, OCR proposed to the school districts resolution agreements that would require them to “[r]escind the policies and/or regulations that allow students to access intimate facilities based on their ‘gender identity’ rather than their sex;” “[i]ssue a memorandum to each . . . school explaining that any future policies related to access to intimate facilities must be consistent with Title IX by separating students strictly on the basis of sex, and that Title IX ensures women’s equal opportunity in any education program or activity including athletic programs;” and “[a]dopt biology-based definitions of the words ‘male’ and ‘female’ in all practices and policies relating to Title IX.”<sup>376</sup>

The Northern Virginia local education agencies declined to sign OCR’s proposed resolution agreements by OCR’s deadline of August 15.<sup>377</sup> In response, OCR placed these agencies on high-risk status, “with the condition that all federal funding flowing to these districts is done by reimbursement only,” and OCR commenced administrative action “seeking suspension or termination of federal financial assistance” to the districts.<sup>378</sup> Fairfax County Public Schools and Arlington County Public Schools sued the Department in federal court in an attempt to block its

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<sup>374</sup> Press Release, U.S. Dep’t of Educ., U.S. Department of Education Finds Five Northern Virginia School Districts in Violation of Title IX (July 25, 2025), <https://www.ed.gov/about/news/press-release/us-department-of-education-finds-five-northern-virginia-school-districts-violation-of-title-ix>.

<sup>375</sup> *Id.*

<sup>376</sup> *Id.*

<sup>377</sup> Press Release, U.S. Dep’t of Educ., U.S. Department of Education Places Five Northern Virginia School Districts on High-Risk Status and Reimbursement Payment Status for Violating Title IX (Aug. 19, 2025), <https://www.ed.gov/about/news/press-release/us-department-of-education-places-five-northern-virginia-school-districts-high-risk-status-and-reimbursement-payment-status-violating-title-ix>.

<sup>378</sup> *Id.*



decision to place them in high-risk status; following the quick dismissal of this lawsuit by a federal judge who found that he did not have jurisdiction to block the Department’s decision, these local education agencies filed an appeal of the decision in the U.S. Court of Appeals for the Fourth Circuit.<sup>379</sup>

*Finding of Noncompliance by Minnesota Department of Education and Justice Department Lawsuit*

On September 30, 2025, the U.S. Department of Education and the U.S. Department of Health and Human Services issued a joint letter (“Joint Finding”) to the Minnesota Department of Education (“MDE”) and the Minnesota State High School League (“MSHSL”) concluding that these entities had violated Title IX by allowing males to compete in sports and use intimate facilities, such as locker rooms and bathrooms, designated for women and girls.<sup>380</sup>

The Joint Finding described the harms involved in policies granting access to school sports and intimate facilities on the basis of “gender identity” instead of sex as follows:

*Allowing men and boys to compete in women’s and girls’ sports is demeaning, unfair, and dangerous to women and girls and denies females the same equal opportunity to participate and excel in competitive sports afforded to males. And allowing males to invade sensitive female-only spaces like locker rooms or bathrooms endangers women’s and girls’ safety, privacy, and dignity, while denying them equal access to educational activities or programs.<sup>381</sup>*

The Joint Finding explains that when a recipient of federal funding “separates sports [or bathrooms] based on sex and also creates a special exemption to that general distinction for ‘gender identity’ [or for trans-identifying individuals], the recipient is no longer treating the sexes differently based on a sufficient justification. Because these recipients have thrown out the biological justification for sex separation, they are discriminating on the basis of sex by separating the sexes without a

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<sup>379</sup> See, e.g., Luke Lukert, *Fairfax County Public Schools Appeals Dismissal of Suit Against Education Dept. Tied to Gender Policy*, WTOP NEWS (Sep. 10, 2025), <https://wtop.com/virginia/2025/09/fairfax-county-public-schools-appeals-dismissal-of-suit-against-education-dept-tied-to-gender-policy/>; <https://www.apsva.us/post/arlington-public-schools-files-appeal-on-court-decision-related-to-title-ix/>.

<sup>380</sup> Letter from Craig W. Trainor, Acting Ass’t Sec’y for C.R., U.S. Dep’t of Educ., & Paula M. Stannard, Dir., Off. for C.R., U.S. Dep’t of Health & Human Servs., to Willie Jett, Comm’r, Minn. Dep’t of Educ., et al. 2–3 (Sep. 30, 2025) (hereinafter “Joint Finding”), available at <https://www.ed.gov/media/document/ed-hhs-minnesota-title-ix-findings-112441.pdf>.

<sup>381</sup> *Id.* at 2.



valid basis under Title IX.”<sup>382</sup> In other words, allowing a biological male, for example, to use a girls’ locker room or participate in interscholastic sports designated for females destroys a state or local education agency’s entire justification for separating locker rooms or sports on the basis of sex. Such agencies are no longer engaging in permissible line-drawing between the sexes under Title IX—they are instituting arbitrary rules that have no basis in the statute.

The Joint Finding also explains that, beyond undermining the justification for separating sports and intimate facilities on the basis of sex in violation of Title IX, policies granting males access to school athletics and private spaces designated for females directly discriminates against females. With regard to sex-separated sports:

*While men get sex-separated teams where they are competing against their physical equals, women get teams where they are facing unfair and unsafe competition from men with a physical advantage. Put differently, while male sports maintain fair and safe competition, females are forced to participate in unfair and unsafe competition, where female athletes risk injuries, are displaced from podiums in athletic competitions, lose opportunities for advancement to regional and national competitions, and miss out on critical visibility for college scholarships and recognition. That unequal treatment is the denial of “equal athletic opportunity” in violation of Title IX.*<sup>383</sup>

Concerning intimate facilities, the Joint Finding similarly declares that permitting boys to enter private spaces designated for girls “endangers girls’ privacy, dignity, and safety, causing a hostile and unsafe educational environment that denies girls educational opportunities.”<sup>384</sup> Thus, the Joint Finding concludes that “Minnesota’s policies and practices have caused a hostile educational environment that denies women educational opportunities in violation of Title IX” because “[w]omen and teenaged girls have a privacy interest in using the bathroom away from men and teenaged boys, and in shielding their bodies from men and teenaged boys while changing in the locker room and on overnight stays for school activities.”<sup>385</sup>

The Joint Finding points out that the Department’s regulations require federal grant recipients to abide by federal law, including Title IX, as well as its implementing regulations and executive orders.<sup>386</sup> “[A]fter being informed by Executive Orders 14,168 and 14,201, and specific guidance that under Title IX [sic] from federal agencies, Minnesota has doubled down on their defiance,”

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<sup>382</sup> *Id.* at 16 (discussing the application of Title IX to “gender identity”-based sports policies); *id.* at 18 (discussing the application of Title IX to “gender identity” policies for intimate facilities).

<sup>383</sup> *Id.* at 17 (citing 34 C.F.R. 106.41(c) and other sources).

<sup>384</sup> *Id.*

<sup>385</sup> *Id.* at 49.

<sup>386</sup> *Id.* at 21.



including by continuing to require access to intimate facilities on the basis of “gender identity” rather than biological sex.<sup>387</sup> This defiance “is contrary to the assurances that the MDE has submitted to the federal government as a condition of federal funding, and conflicts with the plain language of” the Department’s regulations.<sup>388</sup>

The Joint Finding refers to a proposed resolution agreement between the federal agencies and MDE and MSHSL that would include actions remedying the discriminatory regime imposed by these entities’ sex-separated sports and intimate-facilities access policies. Because MDE and MSHSL rejected this proposed resolution agreement, on March 30, 2026, the U.S. Department of Justice filed suit in federal district court seeking declaratory judgment that these entities are in violation of Title IX, an injunction requiring these entities to separate intimate facilities on the basis of sex and not to allow males to participate in female sports, and other relief.<sup>389</sup>

## Analysis

### *CSD’s “Gender Identity” Policies Violate Title IX*

Title IX, since its adoption in 1972, prohibits discrimination only on the basis of sex—binary (male or female) and biological—not “gender identity.” It does not permit recipients of federal funding to deny equal opportunities in their education programs or activities on the basis of sex to allow individuals to use whichever sex-separated intimate facilities or participate in whatever sex-separated programs or activities (such as intramural sports) they choose based on their asserted “gender identity.” Yet this is exactly what CSD requires.

Requiring a student to undress in the same facilities as a member of the opposite sex deprives that student of educational opportunities because it requires that the student divest himself or herself of the privacy and dignity afforded him or her as a human being as a condition of accessing the benefits of that education program or activity.<sup>390</sup> Only by redefining “boy” or “girl” to include

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<sup>387</sup> *Id.* at 54.

<sup>388</sup> *Id.*

<sup>389</sup> Complaint at 43–45, *U.S. v. Minn. Dept. of Educ.*, No. 0:26-cv-02078 (D. Minn. Mar. 30, 2026), <https://www.justice.gov/crt/media/1433251/dl>.

<sup>390</sup> *Cf. United States v. Virginia*, 518 U.S. 515 n.19 (1996) (“Admitting women to VMI would undoubtedly require alterations necessary to afford members of each sex privacy from the other sex in living arrangements . . . .”); *Doe v. Luzerne Cnty.*, 660 F.3d 169, 176–77 (3d Cir. 2011) (recognizing an individual’s reasonable expectation of privacy in their partially clothed body exists “particularly while in the presence of members of the opposite sex”); *Brannum v. Overton Cnty. Sch. Bd.*, 516 F.3d 489, 494 (6th Cir. 2008) (explaining that “the constitutional right to privacy . . . includes the right to shield one’s body from exposure to viewing by the opposite



people who were not born as a “boy” or “girl,” but identify as such, can one pretend that the student has suffered no loss of privacy or dignity in this context. But, as a matter of law, any such distinction is inconsequential. Title IX speaks to one’s immutable biological sex; it does not contemplate anything like “gender identity” as a fluid concept that may change—and change back, or encompass both sexes, or no sexes, or some concept beyond sex—during one’s lifetime. No matter how many different ways CSD might characterize the “gender identities” individuals might experience, Title IX protects individuals from discrimination on the basis of sex, which has two categories—male and female. No additional categories of “gender identity”—such as “transgender” or “gender expansive”—can trump that binary, biologically based paradigm of federal law.

Thus, Title IX requires those institutions that it binds, including CSD, to recognize the dignity of boys and girls in maintaining their privacy. By implementing policies to the contrary, CSD is subverting the original meaning and purpose of Title IX. A recipient of federal financial assistance cannot demand that students disregard their biological sex and related privacy interest in sex-separated intimate facilities as the price of participation in the recipient’s educational program or activity.

CSD’s policy runs counter to the reasoning of the U.S. Court of Appeals for the 11th Circuit’s decision in *Adams v. School Board of St. Johns County*,<sup>391</sup> where the court concluded that Title IX does not require the separation of bathrooms on the basis of “gender identity” rather than sex because the meaning of “sex” as used in Title IX is biological and binary, as opposed to the subjective sense of being female, male, both, or neither that is conveyed by the term “gender identity.” In coming to that conclusion, the court pointed out that “[r]eading ‘sex’ [in Title IX] to include ‘gender identity,’ and moving beyond a biological understanding of ‘sex,’ would provide *more protection* against discrimination on the basis of transgender status under the statute and its implementing regulations than it would against discrimination on the basis of sex.”<sup>392</sup> In other words, Title IX and its implementing regulations provide carveouts for separating the sexes in various circumstances—including bedrooms, intimate facilities like bathrooms and locker rooms, and athletics—but applying these carveouts to all *except for* those with certain “gender identities” recognized by the school district would prioritize “transgender” or “gender expansive” status over one’s sex—male or female—as contemplated in Title IX. Granting protection against discrimination on the basis of one’s “gender identity” with the effect of subjecting various students to discriminatory harms on the basis of their sex—such as, for instance, stripping them of their safety and privacy interests as they use their designated sex-separated bathroom or locker room—is, pursuant to this reasoning, undeniably discriminatory treatment on the basis of sex that violates Title IX.

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sex); *Sepulveda v. Ramirez*, 967 F.2d 1413, 1416 (9th Cir. 1992) (finding a parolee has a right not to be observed producing a urine sample by an officer of the opposite sex).

<sup>391</sup> 57 F.4th 791 (11th Cir. 2022).

<sup>392</sup> *Id.* at 814 (emphasis added).



OCR has confirmed as much in finding that the policies of the Northern Virginia school districts and of the Minnesota entities (MDE and MSHSL) requiring access to intimate facilities on the basis of “gender identity” instead of sex violate Title IX. Those Minnesota entities, like CSD, bind school and district employees to transgress the mandates of Title IX and discriminate against students on the basis of sex. There are multiple ways in which one might characterize the CSD policy on intimate-facilities access as violative of Title IX—arbitrary line-drawing that robs them of sufficient justification to maintain separate intimate facilities for each sex and thus gives rise to prohibited sex discrimination; exposure of children to a hostile environment on the basis of their sex by requiring them to use intimate facilities with an individual of the opposite sex; or basic discrimination on the basis of sex by, in this case, conditioning continued access to equal educational opportunities for students on divesting their dignity and privacy in the sex-separated intimate facility that is designated for their sex. No matter how one characterizes the harm caused by this policy, it must fall in the face of the law’s nondiscrimination guarantee.

Similarly, Title IX does not permit CSD to force girls and women to compete against boys or men in sex-separated athletics. Acknowledging that Georgia state law governs participation in interscholastic sports, CSD has acknowledged in its “gender identity” policy that it must follow state law and policy—which forbid school districts from requiring females to compete against males—in that context; however, for all other athletic activities that occur in schools, CSD requires that eligibility to compete in those opportunities be determined on the basis of “gender identity” rather than sex. The Department has made clear that Title IX does not allow such a bait-and-switch policies—whether in interscholastic sports or any other athletic opportunity a school district offers—of separating teams and opportunities based on sex and then allowing males to compete in female events.

In finding that MDE had violated Title IX for such policies forcing female athletes to compete against any individual who subjectively identifies as female in school sports, the Department pointed to the specific harms women and girls suffer when they must compete against men and boys in athletic competitions: injuries, displacement from podiums and awards, cooption of opportunities to compete in regional and national events, and deprivation of college scholarships and recognition. Men and boys who must compete against females in their sex-separated sports, on the other hand, are not subject to such harms, leading to a crucial asymmetry between male and female sports that denies female athletes “equal athletic opportunity” as required by Title IX. Thus, like the Minnesota Department of Education, CSD policies, as applied to athletic opportunities outside the scope of Georgia’s interscholastic eligibility requirements, discriminate against female athletes in violation of federal civil rights law.

For the same reason that Title IX does not permit state or local education agencies to require schools to allow access to sex-separated facilities on the basis of “gender identity,” a policy



conditioning participation in an overnight trip on sharing a bedroom and bathroom with other students on the basis of asserted “gender identity” instead of sex cannot survive scrutiny under the law. For field trips, CSD’s Regulation JAA-R(2) requires school staff to allow “[t]ransgender and gender expansive students . . . to participate in accordance with their gender identity that is asserted at school.”<sup>393</sup> Its vague reference to student privacy concerns that must be addressed “on a case-by-case basis” and with “reasonable accommodation” does not significantly alleviate the risks of the policy in violating the privacy of boys and girls who do not wish to share overnight accommodations with individuals of the opposite sex.<sup>394</sup> To the extent such students are kept unaware of the sex of the people with whom they share a hotel room or bed on an overnight field trip, or to the extent they are required to share accommodations despite their objections to doing so, CSD’s policy on this issue violates Title IX in the same way that its policy on intimate facilities violates that law.

### ***CSD Has Openly Admitted to Discrimination on the Basis of Race in Violation of Title VI***

For years, and throughout the materials cited in this complaint, CSD has repeatedly admitted to “systemic racism” across its policies and practices, to the detriment of students who are members of racial minorities—especially black students.

According to the archived version of the CSD Equity Website (active until early 2025), “Racism isn’t something that happens ‘somewhere else.’ Unfortunately, it happens right here in the halls of our schools [and] within the confines of our academic departments . . . .”

The original Policy BAC proposed by the CSD Board of Education highlighted the district’s apparently unacceptable progress with promoting racial equality, referring to existing “institutional and bias patterns at all levels of the organization . . . that exacerbate our education debt and induce disproportionately adverse outcomes, most notably for historically marginalized students,” i.e., black and other racial- and ethnic-minority students. As discussed *supra*, the removal of this language does not suggest that the CSD Board of Education did not believe it was true, but rather suggested that they did not wish to be targeted by state or federal enforcement efforts. The policy as adopted lists a number of characteristics on the basis of which there have been “multiple forms of social inequalities and oppression.”

The district’s strategic plan suggests a disturbing array of “cultural, structural, racial, and social barriers” within the school system that disadvantage “historically marginalized”—i.e., black and other racial- and ethnic-minority—students.

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<sup>393</sup> *Id.*

<sup>394</sup> *Id.*



In these ways, CSD and its board of education characterize the school district as an institutionally racist, white-supremacist institution that maintains barriers preventing black and other racial- and ethnic-minority students from achieving their educational potential. OCR should take these statements at face value and investigate whether CSD is currently engaging in such discrimination on the basis of race, color, or national origin in violation of Title VI.

### ***CSD’s “Equity” Policies, Practices, and Teaching Violate Title VI***

The CSD Board of Education’s solution to fix what it has diagnosed as systemically racist school policies and programs is not to stop discriminating on the basis of race in compliance with the Constitution’s equal protection guarantee and Title VI’s nondiscrimination requirement. Instead, CSD Board Policies BAB and BAC have required CSD district and school personnel to attempt to correct what the board has decided to be a racist system by engaging in racially discriminatory treatment that privileges racial minorities and disadvantages white students. The draft version of Policy BAC made this discriminatory objective particularly clear by explicitly and blatantly directing schools to engage in differential treatment on the basis of race—i.e., “racial equity”—for the purpose of paying a supposed “education debt” owed by the white population to minority racial groups. As the Supreme Court has made clear most recently in *Students for Fair Admissions*, the Constitution’s Equal Protection Clause and, as relevant to this complaint, Title VI do not countenance such race-based discriminatory treatment.

Sensing, correctly, that including language in a school-board policy that explicitly requires schools to condition their treatment of students on the race of such students would immediately result in state or federal enforcement actions to bring the district in line with state and federal civil rights law, the CSD Board of Education approved changes to the original policy that simply stripped (most) references to race from the policy—although it did not delete a reference to the district’s “racial equity analysis tool,” which blatantly requires decisions to be made on the basis of their supposed disparate impacts on different racial groups.

But Policy BAC is still openly based on the idea of “intersectionality”—a theory that divides people on the basis of immutable characteristics, including race, for advantageous or disadvantageous treatment based on whether or not such groups are currently or were historically “marginalized”—and requires the district to act to rectify certain disparities—e.g., racial disparities—by reallocating resources to advantage certain groups, pursue new hiring strategies, and require educators and administrators to undergo “multicultural professional development” to address existing inequities.

It does not require any reading between the lines to conclude that this policy requires district and school staff to engage in differential treatment of students and employees on the basis of race to accomplish what it calls “equity.” Deleting some references to race and a long diatribe justifying



race-based treatment on historical and ongoing “marginalization” of students does not erase Policy BAC’s obvious commitment to race-based treatment. Statements by board members that the changes are “not a reflection of core commitments” confirms that those were only cosmetic changes designed to deflect enforcement and litigation risk. Whenever CSD uses the term “equity,” it means practices based on race and other immutable characteristics.

CSD’s practical implementation of this race-based vision of equity, both before and after the adoption of Policy BAC, confirms that the district has acted on its unabashed concern with outcomes based on race rather than based on the performance of each individual student by engaging in differential and discriminatory treatment based on race. CSD’s district plan emphasizes its “deliberate focus on investing in students of color who have been historically marginalized the most” and weaving that focus “into the fabric of everything we do.” CSD thus commits, in its *Strategic Plan Objectives*, to investing half a million dollars in eliminating achievement gaps between students “who have been traditionally marginalized” and those who have not. It tracks these metrics by focusing on performance by a “Black Subgroup” of students, as well as, separately, by “economically disadvantaged” students in various courses. CSD has also created a CSD Board of Education representative/apprentice to further its race-based agenda of “[a]mplify[ing] student voice, especially those [sic] of traditionally marginalized groups.” It selected such a student representative on the board by its target date of August 2024.

Additionally, CSD maintains an Equitable Planning Tool that subjects “any significant program/policy implementation” by CSD to race-based considerations—including “differentiat[ing] resource allocations” by the district—for the purpose of “identify[ing] and dismantl[ing] cultural, structural, racial, and social barriers that increase the education debt for historically marginalized students in this district.” It not only proposes that decisionmakers consult with school DEI committees in making their decisions; it requires users to identify the “race/ethnic identities” of the interest groups they consulted in coming to such decisions.

CSD maintains a hiring tool that has a disproportionate focus on “equitable racial and cultural representation” in the school district. It requires “intentional moves toward an equitable environment in the everyday operations” of each department, and it requires, in each step of the recruitment and hiring process, obsessive consideration of how choosing a certain candidate might impact the racial composition of each department. CSD has enforced its equity priorities through Equity Teams at the district level and at each of its schools, mostly for the purpose of conducting professional development on racial equity among their colleagues. The federally funded school district spent over \$700,000 in support of its equity initiatives since 2015—and, according to media reports that add to this total staff salaries for the school’s equity department, nearly \$2.5 million.<sup>395</sup>

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<sup>395</sup> *Supra* note 306.



As if more evidence of CSD’s race-based treatment of students and employees were needed, until it became inaccessible in early 2025, the CSD Equity Website abounded with policy statements, practices, and resources that underlined the district’s commitment to treating students and staff differently based on race to address what CSD views as disparities in achievement in the district. The website stated that “educational equity requires . . . the systematic use of data to determine and establish an equitable allocation of resources” among the school community. The explicit objective noted throughout the website was to pay the “education debt” that the CSD community supposedly owes to black students and other “traditionally marginalized” people—meaning that CSD must reallocate resources and remake policies and procedures with the obsessive focus of remedying past (and, according to CSD, present) white-supremacist practices. The website idolized the CCAR program and its “Beyond Diversity” training for teachers, which convey the message that “whiteness” is a harmful concept that pervades our education system and prevents reform.

Among myriad ways in which the *Equity @ CSD* newsletter emphasized the district’s promotion of race-based treatment of students and employees, it said that the goal of CSD is to normalize, organize, and operationalize for “racial equity,” which it pointedly declares is not the same as racial “equality.” It told white students and teachers that they need to “consciously, consistently, and intentionally unlearn racism.” In numerous other instances, it de-individualized students and teachers and informed them that they are mere members of a “privileged” or “marginalized” racial grouping and must act accordingly—with an implied “or else.” This messaging all supported and attempted to justify unlawful racially discriminatory treatment.

Throughout its policies, practices, and statements, CSD committed to countering “white supremacist” culture in its education programs and activities by presenting its vision of “supremacy” that blames “whiteness” for disparities in educational achievement on the basis of race and all social and economic disparities in society:

- This complaint has described documents indicating that CSD’s recruiting and hiring process weeds out candidates who are not committed to an “anti-racist” agenda that includes “decentering whiteness” in the classroom.
- It has described how the vast majority of educators and administrators in the district have completed CCAR trainings requiring them to confront “whiteness” and how it supposedly pervades classroom instruction.
- CSD maintains an Equity Toolkit that pushes teachers to “Decolonize the Curriculum,” which means teaching children a revisionist history that America is irredeemably linked to white supremacy and must be wholly reconstructed to be saved.



- As recently as 2025, the CSD Equity Website presented as helpful resources materials that push teachers to make children as young as five years old believe that America is a racist society, and it linked to materials that promote the evaluation of curricular materials to ensure they require students to “examine their own perspective and privilege . . . and develop a critical consciousness about systems of oppression in order to take action against them”—including, absurdly, in math and science lessons.
- The CSD Equity Website encouraged teachers to weed out from their classroom libraries schoolbooks that do not present such a supposedly enlightened, multicultural perspective (such as books authored before 1970).
- CSD’s equity staff described to the CSD Board their extensive work toward “decolonizing the curriculum” pursuant to the Do-4 Culturally Responsive Education Framework and a JADE Program, both based on an obsessive focus on one’s racial identity and the privileges and burdens that such identity supposedly carries with it. Vestiges of these frameworks currently appear in the revisionist and cultural focuses represented in the district’s middle- and high-school curricula.

This is CRT in action, and its racially discriminatory application in CSD is exactly the kind of “discriminatory equity ideology” targeted by EO 14190 and discrimination prohibited by the Constitution and Title VI. In fact, the eight factors listed in EO 14190 seem written precisely to describe the worldview that the CSD Equity Website and its 2022–23 newsletters offered to the CSD community. Just as the Constitution and Title VI prohibit public schools from teaching children that white people are inherently superior to black people, they forbid public schools from teaching children that white people are inherently inferior to black people by virtue of their ancestry or owe a “debt” to those of another race due to one of their immutable characteristics. Such racially discriminatory lessons demean students on the basis of their race and violate Title VI and the Equal Protection Clause.

Given the actions of its equity team and the biased anti-Israel materials the equity department suggests for teachers, OCR should also investigate whether CSD has violated Title VI by demeaning Jewish students on the basis of shared ancestry and national origin. This complaint has described how a member of the district’s equity team publicized offensive anti-Israel materials mere weeks after the Hamas attacks of October 7, 2023, and though he was investigated, he remained an employee of the district for nearly two years. It has also described how the CSD Equity Website urged the district’s teachers to consult a resource on “Female Resistance in Gaza and The West Bank” that presents Palestinian women as “activists . . . protesting against an unjust occupation,” as well as the Zinn Education Project’s “Teaching about the Violence in Palestine and



Israel,” which presents the conflict in Gaza as rooted in “settler colonial history” and “conditions of apartheid.”

This kind of distorted historical revisionism—blaming the murder of approximately 1,200 people in Israel at the hands of Hamas killers on Jewish “settler colonialism,” “apartheid,” and “occupation”—is one of a kind with the discriminatory equity ideology described above. More broadly, these materials blame Zionism for supposedly subjugating Arab populations in Israel, the West Bank, and Gaza. OCR should consider whether promoting these biased materials constitute discrimination on the basis of national origin or shared ancestry in violation of Title VI.

Based on the evidence we have uncovered, DFI does not dispute that Superintendent Whitaker has recognized that CSD’s policies and practices described above are wildly out of step with Georgia law and the enforcement priorities of the present federal administration and has thus communicated to the CSD Board her intention to save federal and state funding for the district by pausing or merely concealing the district’s discriminatory practices and statements of policy. At the same time, the superintendent’s public messaging has maintained a “stay-the-course” attitude, perhaps with the goal of avoiding backlash from local interest groups who encouraged the school district to inject “racial equity” into its policies and practices in the first place. Policies BAB and BAC remain unchanged. The vast majority of the teachers and staff over whom Whitaker serves have been trained to believe that they must “pay the debt” to black students or consider themselves part of the problem. Course descriptions in CSD schools still reflect an effort to “decolonize” the curriculum. In short, the machinery of equity continues to turn.

Moreover, Whitaker’s moves to rein in CSD’s racially discriminatory DEI efforts and take down its racially discriminatory resources are in response to Georgia’s “divisive concepts” law and federal civil-rights enforcement priorities. If the Georgia law changes, or if the federal enforcement threat subsides, the district’s racial-equity efforts would no doubt return to their previous force, unimpeded by any threat to federal funding and requiring each student to learn before he or she graduates that America is built on white supremacy and that one must choose between being an ally or an enemy.

Meanwhile, the CSD Board of Education remains defiantly in support of a racial-equity agenda: it briefly rescinded policies related to “equity” to mislead the state of Georgia and the Department about its compliance with Title IX and Title VI in its policies (while repeatedly denying that such changes had any practical effect), only to resuscitate the language of those policies immediately after it considered the threat of federal enforcement as having passed. The emergency rescission of these policies in response to OCR’s enforcement priorities speaks strongly to the fact that the CSD board knows that its policies require race-based treatment in order to achieve certain race-based outcomes. The board has adopted no policy requiring district staff to abandon those goals.



## Conclusion

CSD maintains policies and practices that require its female students to share their sex-separated intimate facilities and sports with boys and men. Through its “equity policies” and strategic plan, CSD has directed schools to engage in racially discriminatory practices and decision-making in the name of “equity.” Until the election of the current president, CSD maintained a public database on its website that contained a trove of racially discriminatory resources, including communications that nakedly discriminated based on race and trained teachers and students in an ideological framework that blames society’s ills on “whiteness” and attacks Jews in Israel as “settler-colonialists.” In addition, the federally funded school district has long maintained that it is struggling with systemic racism throughout its departments and operations.

The district has quietly submerged many of these resources with the obvious goal of evading federal civil-rights enforcement, but because it has never openly disavowed or corrected its discriminatory policies and practices, it is far from clear that these actions have returned the district to compliance with Title VI or the Constitution.

DFI respectfully asks that OCR require CSD to confront and correct the shortcomings identified in this complaint through measures that comport with applicable federal civil rights laws or face a withdrawal of federal funding or such other consequences that OCR deems appropriate.

Thank you for your prompt assistance. Please feel free to contact me with any questions related to this request.

Sincerely,

/s/ Paul F. Zimmerman

Paul F. Zimmerman

Senior Counsel, Policy & Regulatory



# Appendix A



## Vision

We will build the foundation for all children to be their best, achieve their dreams, and make the world a better place.

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June 3, 2021

To the State Board of Education and Superintendent Woods:

City Schools of Decatur (CSD) is committed to addressing the origins and presence of race and racism, and to exercising local control of curriculum and professional learning to meet those ends. The State Board of Education's misguided and ill-informed June 3 resolution undermines local control and harms all children.

For several years, CSD has undertaken the challenging and essential work of addressing racial inequality, and we are heavily invested in these efforts. We have developed a District Equity Action Plan (<https://equity.csdecatur.net>), have done in-depth equity development with teachers, and formed a cohort of Students Organized for Anti-Racism (SOAR). Many of our students have been empowered to form organizations and join community groups focused on eliminating inequity within our schools and communities. Our school and district leaders have received extensive equity training under the Leadership for Racial Equity Development program, and our leadership and school board have participated in multiple opportunities to develop their personal understandings of racial equity. Each school and the central office has an active Equity Team, and we have an easy process for concerned parties to submit equity ideas and/or concerns directly to our equity coordinator at <https://bit.ly/CSDEquityIdeas>. Advancing Racial Equity is a core pillar of our district improvement plan. We know saying "racism is intolerable" is not enough, and we know we must actively engage in anti-racist actions if we are to progress in our schools, our city, and our country. We have undertaken this work with overwhelming community support. This is what local control looks like – and this is what the State Board's proposed resolution undermines. This resolution undermines the GaDOE's [own efforts](#) to support LEAs in eliminating [equity gaps](#) and adopting [impactful equity initiatives](#).

Although the resolution is a set of "belief" statements largely [copy-and-pasted from the National Association of Scholars](#), it would have a chilling effect on LEAs' ability to initiate and sustain the difficult work of addressing racial equity in their community. We are saddened that the body charged with setting educational standards would so thoroughly undermine educators' ability to advance educational outcomes for all students. Additionally, this resolution would fuel the efforts of malicious actors who more overtly create disingenuous barriers to and distractions from addressing racial equity. Considering how egregiously disparate Georgia students' educational outcomes are along racial lines, this resolution would unconscionably stultify school districts' ability to innovatively address learning gaps. To address racial disparities (as required by law and per rules enacted by the Board), we need to be able to talk about them, even and especially when that makes us uncomfortable. This resolution would harm all students by misrepresenting history and seeking to deny them the space and tools to critically examine our country's past and present actions that have marginalized people of color.

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**Tasha White**  
Chair

**Heather Tell**  
Vice Chair

**James Herndon**  
Board Member

**Jana Johnson-Davis**  
Board Member

**Lewis Jones**  
Board Member

Michelle Alexander, author of *The New Jim Crow* writes, “I think we all know, deep down, that something more is required of us now. This truth is difficult to face because it’s inconvenient and deeply unsettling. And yet silence isn’t an option.” This resolution would drive LEAs toward silence, or diminish the conversations to such a meager whisper as to be ineffective. However, CSD will not remain silent. Despite our strong work toward eradicating racist outcomes, we also acknowledge that the stubborn specter of disproportionate outcomes and other manifestations of racism continue to loom over our efforts. We are committed to our efforts. We are responsible for nurturing anti-racist learning environments where each and every child is respected and valued for who they are regardless of skin color, gender, sexual identity or orientation, ability or disability, or any other marginalized category. We will not accept educational environments where students are subject to conditions in which their identity makes them a target of abuse. Nor will we accept a resolution that treads dangerously close to limiting our staff’s and students’ First Amendment right to free speech.

Our work isn’t done. Despite the resolution that the State Board of Education is considering, City Schools of Decatur will further our efforts toward anti-racist leadership and fostering inclusive educational environments where every student and staff member feels a sense of belonging and is treated with dignity and respect.

Therefore, each of us, individually and collectively, remain committed to engaging in policy and practice changes that stand against all forms of racism at interpersonal, internalized, organizational, and systemic levels. Georgia’s students deserve the same commitment from the State Board of Education.

Sincerely,

City Schools of Decatur Leadership

Dr. Maggie Fehrman, Superintendent

Dr. Curtis Armour, Jr., Principal

Dr. Mari Ann Banks, Equity Coordinator

Dr. Kristy Beam, Executive Director of Curriculum and Instruction

Shana Brewton, Coordinator for the Office of the Superintendent

Dr. Holly Brookins, Principal

Lonita Broome, Executive Director of Finance

Marcia Bryant-Fowler, Director of Professional Learning and Evaluation

Courtney Burnett, Director of Community and Government Relations

Tanisha Frazier, Principal

Sarah Garland, Principal

Billy Heaton, Principal

Frances Holt, Executive Director of State and Federal Programs



Dr. Lillie Huddleston, Executive Director of Equity and Student Support  
Rochelle Lofstrand, Principal  
Eston Melton, Executive Director of Information Services  
Karen Newton, Principal  
Sergio Perez, Executive Director of Operations  
Ruth Scott, Principal  
Rodney Thomas, Director of Athletics and Activities  
Adena Walker, Director of Staff Support  
Dr. Kimberly Watson, Principal  
Heidi Whatley, Director of Research and Analytics  
Greg Wiseman, Principal

City Schools of Decatur Board of Education

Tasha White, Chair  
Heather Tell, Vice Chair  
James Herndon, Board Member  
Jana Johnson-Davis, Board Member  
Lewis Jones, Board Member

Decatur Education Foundation

Gail Rothman, Executive Director



# Appendix B

# JADE

## Lesson 3 - Identity



# Note to the Teacher

- [Lesson plan](#)
- The ending questions are a great time to process and be “okay with” silence. Students may unearth some things that are heavy and personal, sitting with silence is a great way to make space for all to process and honor their thinking time.



## Learning Objectives

What does it mean to identify?

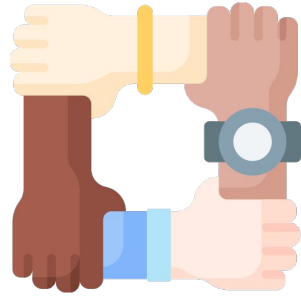
- I can **identify** important dimensions of my identity.
- I can **examine** stereotypes in relation to my identity.

What does it mean to examine?

**Essential Question:** What are the multiple dimensions of my identity?

# Community Agreements

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What do we need from your **classmates** to engage in conversations about identity, diversity, justice and action?

What do we need from your **teacher** to engage in conversations about identity, diversity, justice and action?

What do we need from **yourself** to engage in conversations about identity, diversity, justice and action?

# Identity

What does identity mean?  
What are characteristics that make up our identity?

# Identity:

All of the pieces and characteristics that make up who we are.

— — —

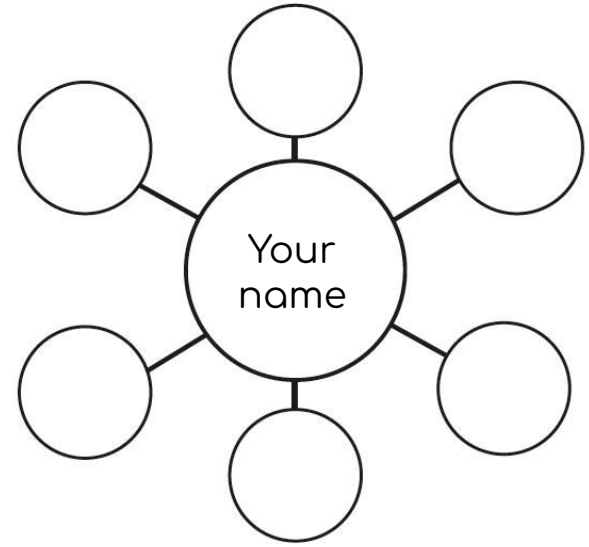
Our identity is made up of:

- Languages spoken
- Religion
- Race
- Culture
- Nationality
- Personality
- Interests
- Likes and dislikes
- Relationships



# Circles of Me

Directions: Write your name in the center circle then fill in the outer circles with the most important parts of their identity. You can add as many circles as you'd like.



Examples can include: race, gender, religion, familial relationships or other identifiers that are important to you! (i.e. video gamer, athlete, artist, etc.)





# Small Group Share: Round 1

Choose one of your identifiers and share a story in which you were proud of one of the identifiers.



## Small Group Share: Round 2

Choose one of your identifiers and share a story in which you were ashamed of or had a painful experience with one of the identifiers

# Combatting Stereotypes

Directions: Think of a stereotype that this inaccurate about one of your identifiers. Create a presentation (video, poster, etc.) of your work.

I am/an \_\_\_\_\_ but I  
am NOT (a/an)

\_\_\_\_\_.

---

# Closing Reflection

---

- How did it feel to be able to stand up to and challenge the stereotype you chose?
- Where do stereotypes come from?
- What can we do to confront and combat stereotypes?
- What can I do to prevent myself from stereotyping others?

# Self-Reflection Journaling

What are some thoughts, feelings or connections that are surfacing for you after today's learning? You may wish to express your thinking through words and/or pictures.

---



# Appendix C

## JADE Lesson #3

### Objectives

- I can identify important dimensions of my identity
- I can examine stereotypes in relation to my identity.
- I can describe how my identity is unique.

**Essential Question:** What are the multiple dimensions of my identity?

**Social Justice Domain:** Identity

### Materials:

- Bubble map
- [Lesson #3 Slides](#)

### Vocabulary:

- Identity
- Stereotype

### Note to the teacher:

- The ending questions are a great time to process and be “okay with” silence. Students may unearth some things that are heavy and personal, sitting with silence is a great way to make space for all to process and honor their thinking time.

### Lesson:

#### *Introduction:*

- Begin with a discussion about what makes a person who they are. Create a list of what makes up a person’s identity or review the list on the slide.

#### *Work Time:*

1. Have students write their name in the middle circle of their multicultural self map. Instruct them to fill in the circles with the most important parts of their identity. Examples can include: race, gender, religion, familial relationships or other identifiers that are important to them (i.e. video gamer, athlete, artist, etc.)
2. Have students share in small groups (3-4 students) two stories with each other:
  - a. A story in which they are proud of one of the identifiers
  - b. A story in which they were ashamed of or had a painful experience with one of the identifiers.

3. Have students think of a stereotype about one of their identifiers that is inaccurate. Students will complete an I am/an \_\_\_\_\_ but I am NOT (a/an) \_\_\_\_\_.
4. Have students create a presentation of some sort (video, poster, or whatever medium) to present their I am \_\_\_\_\_ but I am NOT \_\_\_\_\_ projects.
  - a. Making time for students to share is optional and would depend on class community structures.

*Closing:*

- How did it feel to be able to stand up to and challenge the stereotype you chose?
- Where do stereotypes come from?
- What can we do to confront and combat stereotypes?
- What can I do to prevent myself from stereotyping others?

*Journal Time*



# Appendix D

## The Racial Equity Tool

*The Racial Equity Tool is a simple set of questions that should be used during any policy, program, practice, or budget discussion, to determine the impacts of current decisions, and whether those decisions may be unintentionally reinforcing biases, barriers or inequities.*

<b>Proposal</b>	What is the policy, program, practice or budget decision under consideration? What are the desired results and outcomes?
	<i>Policy/Program/Practice:</i>
	<i>Desired Results/Outcomes:</i>
<b>Data</b>	What's the data? What does the data tell us about how race influences, or can be influenced/impacted by the proposed policy/practice/decision?
	<i>Data Used:</i>
	<i>What does it tell us?</i>
<b>Community Engagement</b>	How have diverse communities been engaged in this policy/decision? Are there opportunities to expand engagement?
	<i>Means of Engagement:</i>
	<i>Opportunities to Expand Engagement:</i>
<b>Analysis and Strategies</b>	Who will benefit from and/or be burdened by your proposal? What are your strategies for advancing racial equity or mitigating any unintended consequences related to the policy/practice/decision?
	<i>Beneficiaries/Burdened:</i>
	<i>Strategies to mitigate potential consequences:</i>
<b>Implementation</b>	What is your plan for implementation? Is this plan equitable? How?
	<i>Plan:</i>
	<i>How the plan is equitable:</i>
<b>Accountability and Communication</b>	How will you ensure accountability, communicate, and evaluate results?
	<i>Accountability measures/efforts:</i>
	<i>Communication measures/efforts:</i>
	<i>Evaluation measures/efforts:</i>

<b>Next Steps</b>  <b>After using the RET to examine this (policy/program/practice/budget) procedure – should it move forward?</b>	Yes
	<i>What changes can you make going forward that could be more inclusive/equitable?</i>
	No
	<i>What specific changes will be made?</i>
	<i>What is the deadline on the changes to be made before moving forward?</i>

*Adapted from the Government Alliance on Race and Equity TOOLKIT Racial Equity Toolkit: An Opportunity to Operationalize Equity*



# Appendix E



## The CSD Equitable Planning Tool<sup>1</sup>

There is no higher priority for the City Schools of Decatur than ensuring that every student is safe, seen, and successful. Research and data indicate that persistent racial disparities exist in CSD in which individual, institutional, and structural impacts of race, racism, and other biases are pervasive and significant in our student outcomes. Thus, we are tasked with paying our education debt to students who experience these outcomes.

Making equity happen is OUR work. *All* of us.

Every member of the CSD community is expected to share an awareness of inequity and a personal commitment to eliminating inequities through intentional action. The CSD Equitable Planning Tool lays out a clear seven-step process to ensure that all significant decisions in CSD are aimed toward paying our educational debt and advancing equity.

This toolkit should be used prior to any significant program/policy implementation and presents resources to guide equitable development, implementation, and evaluation of policies, initiatives, programs, professional development, instructional practices, and/or budget decisions in CSD.



Why should you do the extra work this tool requires? To foster a barrier-free environment where all students have the opportunity to achieve, regardless of their cultural identity, *we must disrupt status quo decision-making methods, differentiate resource allocations, and provide the support and authentic opportunities students need to thrive.*

<sup>1</sup> Adapted from the Seattle Public Schools Racial Equity Analysis Tool, and the Government Alliance on Race and Equity *Racial Equity Toolkit* (see [www.racialequityalliance.org](http://www.racialequityalliance.org)).

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## Purpose and Use

### Why do we have to use this planning tool?

In addition to expecting every member of the CSD community to hold equity as a core value, CSD Board Policy BAC: Equity and CSD's 2023-2028 Strategic Plan calls for every staff member in each department, office, and school to take deliberate action to identify and dismantle cultural, structural, racial, and social barriers that increase the education debt for historically marginalized students in this district.

Additionally, our community-inspired, student-centered, and equity-focused Strategic Plan elevates the district's commitment to ensuring that students, families, and communities are an integral part of CSD decision-making processes.

The CSD Equitable Planning Tool operationalizes these goals by establishing a protocol for decision-making centered on equity and offering resources to support each stage. The Tool supports us as we make every effort possible to advance equity by facilitating intentional and continuous community engagement, deliberately mitigating bias, and establishing initiatives most likely to produce equitable outcomes. Using this tool moves CSD closer to becoming an [Anti-Racist, Multicultural Institution](#) with a deliberate focus on investing in students of color who have been historically marginalized.

### When and how should this planning tool be used?

Apply the Equitable Planning Tool at the start of your school or department's decision-making process. It is strongly recommended that your team proactively map out the major decisions you will undertake this year and plan to use the tool with each one. This tool deliberately slows down processes to ensure equity is not overlooked or considered an afterthought; it should not, however, be the reason a decision is delayed. Thus, the suggested pre-planning.

Examples of decisions that require using the planning tool:

- New school-wide or district-based initiatives
- Proposals that will go before the SLT for a vote
- Allocation of financial or other resources
- Policy, practice, or protocol development or significant modifications
- Major district-wide initiatives, such as a new professional development program or a school closure
- Any school-based curricular or extracurricular program or operational change that may impact more than one classroom

Fidelity to all seven steps of the tool will provide the best outcomes. The sub-questions can be reshaped to suit your decision process; some will require deep analysis, while others will not. *The conversations will be most effective if a broad range of perspectives are represented in the room, including individuals with a variety of racial/ethnic identities and interested/affected groups whom the decision will most impact.* Using the planning tool early, thoroughly, and frequently will ensure that you have enough time to bring together the key people, relevant data, and conducive conditions for a thoughtful, inclusive decision-making process.

Please Note - the tool is less effective if it is not introduced at the start of a

decision-making process; thus, it should be applied as early as possible. Consider how often and when the tool should be reapplied in whole or part as the proposal evolves and as an evaluative analysis. The tool is cyclical, as depicted on page 1, to facilitate evaluation and monitoring.

### Can we use the tool to review decisions, policies, or processes *after* implementation?

CSD's Equitable Planning Tool can be used to review decisions, policies, and processes currently in place, whether implemented recently or established many years ago. Such a review may help to identify lessons learned that can be applied to future decisions, and/or modifications that can be made to policies, programs, or processes, to more effectively advance equity.

When applying the tool in this context, rephrase the questions as needed without skipping any section of the tool. For example, if you are evaluating a current program or policy and have no plans to reopen interested/affected group engagement, state that in your analysis and explain the conditions that have led to that decision. Your analysis should then include the fact that it is shaped by the limited perspective of those who are at the table and excludes the perspective of those who are not (such as students or parents).

### What if we don't have enough time to engage interested/affected groups before making a decision?

This tool deliberately slows down processes to ensure equity is not overlooked or considered as an afterthought. Please recall CSD's commitment to fostering a barrier-free environment where all students, regardless of their race or ethnicity, have the opportunity to achieve. If we want different outcomes, *we have to do things differently*. We must disrupt status quo decision-making methods, differentiate resource allocations, and provide the support and authentic opportunities students need to thrive. Unless it is a dire emergency, please try to slow your process and use the tool.

## Research and Data Resources

CSD is committed to using data to inform our initiatives and understand our impact.

Data should be used to:

- provide a clear understanding of the issue we are addressing,
- identify inequities, and
- assess if we are achieving our desired impact and program/policy goals.

To make data-driven decisions that advance educational equity, we must consider different levels of performance and impact data. See below for some data resources that can help with the data analysis section of the tool.

### CSD Resources

- [Infinite Campus](#) - Real-time data on students and staff in CSD
- CSD Research and Analytics Director - [Alexis Glenn](#)

## City Resources

- [City of Decatur Documents, Reports, and Presentations Database](#)

## State Resources

- [GOSA K-12 Report Card](#): State, district, and school level data
- [GOSA Data Request Web Form](#): To request data not available via the Report Card or data prior to the 2010-2011 academic year.
- [Direct certification \(DC\)](#): is used to measure the poverty levels of students in Georgia.
- [Georgia K-12 Teacher and Leader Workforce Report](#): This report provides a snapshot of the current teacher and leader workforce across the state.
- [GADOE CCRPI Report](#): The reports available within this site show how schools, districts, and the state are performing on various indicators such as demographics and test performance.

## Federal/National Resources


- [US Census Quick Facts](#)
- [Data.gov](#): Federal government's open data source
- [Google Scholar](#): Scholarly literature search engine

## Community Engagement Resources

Centering the voices and experiences of communities who have been historically precluded from decision-making processes that affect their lives, and involving them throughout all phases of the decision-making process, is essential to equity. Without equitable and inclusive engagement, there is a risk of making decisions that could have negative consequences for families and communities, particularly for historically marginalized communities that have been disproportionately underrepresented and under-resourced.

## The Community Engagement Spectrum

The International Association for Public Participation developed a spectrum of engagement that helps identify levels at which the public can be engaged and corresponding commitments to interested/affected groups.

		INCREASING IMPACT ON THE DECISION 				
		INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL		To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
	PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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Government-led community engagement has historically lived between *Inform* and *Consult*. This planning tool asks you to *Involve, Collaborate with, Empower, and Prioritize* all marginalized voices - especially those receiving English Learner and/or Special Education services.

## Best Practices in interested/affected group Engagement

- Examine your lens and bias. Our experiences and those of our families and communities shape the lens through which we see, understand, and engage with the world. They also give way to biases regardless of our best intentions. Biases will impact how we think about, plan, and implement our engagement strategies; recognizing this is critical to ensuring an inclusive and successful engagement effort.
- Start now. The best way to ensure that your community engagement will be successful is to develop strong relationships with interested/affected groups before you need their involvement. interested/affected groups are more likely to engage when there is trust and established two-way, responsive communication. Avoid reaching out only about emergent issues or to make asks. This means every educator, school, and district staff member must embrace building positive relationships with students and families as part of their job.
- Conduct a interested/affected group Analysis. Identifying key interested/affected groups is critical to a meaningful and equitable engagement for the step #4 analysis. The [Interaction Institute for Social Change](#) proposes consulting/including interested/affected groups who:
  - *are responsible for making the final decision*
  - *are responsible for implementing the final decision*
  - *are supporters of the initiative*
  - *are possible or likely blockers of the initiative*
  - *have relevant resources or expertise*
  - *will be affected by the outcome of the initiative*

Consider interested/affected groups' needs and access and the power dynamics among or between them and you. This will inform your engagement strategy (i.e. is one interested/affected group meeting sufficient, should you have multiple smaller language-specific meetings, should meetings be at the school or in the local church or mosque, etc.).

- Meet people where they are. Historically marginalized and disenfranchised communities have legitimate barriers to engaging with institutions that have not consistently listened to them or served them well. It's important to recognize the history of segregation and racism and the negatively disproportionate outcomes that have played out in our school district, and the resulting distrust and damage this has done to generations of families. The onus is on CSD educators and other staff to go beyond an invitation to a meeting at the school or central office. Think carefully about how you access your interested/affected groups directly or with the help of other people, organizations, or institutions. Integrate this into your strategies.

- Clarify the why. interested/affected groups have varying levels of information and understanding of the decision to be made and, therefore, may be apprehensive about engaging in the decision-making process. Lack of experience in the education field and with schools, language, transportation, childcare, and other demands on time are common barriers to low engagement. Help interested/affected groups understand how their perspectives, aspirations, and needs are important in shaping the decision and, with families in particular, make the connection to the quality of their child's educational experience.
- Employ multiple strategies with partners. Consider what the best vehicle for interested/affected group engagement would be. While efficiency, budget, and expediency tend to drive engagement processes, these often preclude equity. Partner with trusted advocates and community members; this may be an organization, faith-based institution, or teachers. Protect the most vulnerable among your interested/affected groups, and employ methods to elevate their voices. Written invitations/letters, flyers, emails, and robocalls may not be enough. Personal invitations, phone banking, social media outreach, texting, door-knocking, and canvassing areas where interested/affected groups spend time may be necessary.
- Incorporate these factors in your engagement planning:
  - Apply the 80/20 rule: 80% of the time, the community members should be talking; 20% of the time, CSD staff members should be presenting or facilitating. Make sure participants leave the meeting feeling seen and heard.
  - Consider space (break-out rooms, facilities), transportation, access, day of the week, time of day, and interpretation.
  - Use kinesthetic activities, discussions, think-pair-share, and small group shareouts.
  - Elicit comments and questions verbally and in writing to accommodate those who do not want public attention.
  - Incorporate visual documentation, such as slides and note-taking on large newsprint.
  - Document feedback and be transparent with interested/affected groups about if and how their engagement will feed into the larger process.
  - Document participation; the number and demographics of participants relative to the interested/affected group are important data points to reflect the quality of the engagement and inform future processes.
  - Be sensitive to the concerns and sensitivities of vulnerable communities, such as those who may be undocumented.

## CSD Engagement Resources

Consider the resource list below when attempting to make connections with interested/affected groups.

**School Leadership Teams** - The SLT is a rich resource comprised of parents/guardians who represent parent concerns in the school, educators, and school administrators. This group should be well-prepared to make major decisions for their school. The members of the School Leadership Team:

1. Maintain a school-wide perspective on issues
2. Regularly participate in SLT meetings
3. Participate in information and training programs
4. Act as a link between the SLT and the community by actively soliciting input from the school community
5. Proactively communicate to the school community information and decisions made by the SLT
6. Encourage the participation of parents and others within the school community
7. Work to improve student achievement and performance as outlined in the charter.

**PTA DEI Committees** - Each school in City Schools of Decatur has a PTA, PTO, or PTSA. These organizations are an excellent way to connect with families who are engaged in CSD schools. Each PTA has a DEI Committee that focuses on issues of equity. Links to all of the school sites are below.

- [College Heights ECLC](#)
- [Clairemont Elementary School](#)
- [Glennwood Elementary School](#)
- [Oakhurst Elementary School](#)
- [Westchester Elementary School](#)
- [Winnona Park Elementary School](#)
- [Fifth Avenue Elementary School](#)
- [Talley Street Elementary School](#)
- [Beacon Hill Middle School](#)
- [Decatur High School](#)

**Superintendent's Student Advisory Council** -: The Superintendent's Student Advisory Council provides the superintendent with an opportunity to hear directly from students regarding their experience in CSD. This group can also provide valuable input on how the district can ensure the needs of all students are met. The SAC aims to include at least one student representative from every CSD school 3-12. Contact the superintendent's office for further information.

**Superintendent's Teacher Advisory Council (TAC)** - TAC is a group dedicated to two-way communication between those leading individual classrooms and those leading our district. TAC meetings are an opportunity for teachers to provide direct feedback to the Superintendent's office on behalf of their schools. It is also a venue to surface concerns or issues that have not been or cannot be resolved via usual supervisory or reporting channels. TAC is also a conduit for sharing information and receiving input on projects, proposals, and initiatives. Contact the superintendent's office for further information.

**Superintendent's Staff Advisory Council (SAC)** - SAC is a group dedicated to two-way communication between those in support roles throughout CSD. SAC meetings are an opportunity for staff members to provide direct feedback to the Superintendent's office on behalf of their schools. It is also a venue to surface concerns or issues that have not been or cannot be resolved via usual supervisory or reporting channels. SAC is also a conduit for sharing information and receiving input on projects, proposals, and initiatives. Contact the superintendent's office for further information.

**Student Government** - DHS and BHMS have an active student government body that could serve as a valuable resource. Contact each school for further information.

**The DHS and BHMS Black Student Union, Asian Student Union, and Other Culturally-Based Organizations** - These student groups can provide valuable input and perspectives regarding how the district can ensure the needs of all students are met. Contact each school for further information.

- **The Office of State and Federal Programs** - This Office supports family and community engagement efforts by providing guidance and content to ensure the families of students with disabilities are engaged and informed. The office includes a family and parent liaison, a McKenney Vento specialist and is dedicated to reaching out to the families of second-language students, including Arabic, Somali, Spanish, Vietnamese, and Chinese parents and parents of gifted students.
- [Decatur Education Foundation](#) - The Decatur Education Foundation works together with CSD, Decatur Housing Authority, and the City of Decatur to bolster community efforts and ensure that ALL students have the resources, opportunities and experiences in order to foster their growth and ensure their academic success.
- [Decatur Parents Network](#) - A rich resource of Decatur community of parents, caregivers, and friends whose Mission is to empower families by fostering communication among parents and cultivating safe, fun activities for teens.
- [Decatur Black Parents Network](#) - This valuable group's stated mission is to provide a safe space for black parents to share issues, concerns, highlight ideas, and formulate action plans regarding keeping the CSD administration, school board, and faculty responsible and accountable for the health, safety and success of black children.
- [City Schools of Decatur Special Education PTA](#) - This group's stated mission is to serve families and educators of children receiving special education and gifted services in all City Schools of Decatur. This includes children with 504 accommodation plans and IEPs

## Support

Schools and departments looking for support or technical assistance in completing a CSD Equitable Planning Tool analysis should contact the Department of Equity and PL. For the fastest support, email the [CSD Equity Director](#). You can also call the office at x.1029 or cell at 404-977-1684.

## **Submissions**

The Equitable Planning Tool has three sections.

1. List of Questions - Steps 1-7 with clarifying questions to promote thought.
2. EPT Cover Sheet - school and interested/affected group participant information.
3. EPT Summary - Your Responses to Steps 1-7.

Once you have completed the tool, please include a copy of the cover sheet with the rest of your proposal paperwork.

# The Equitable Planning Tool

Your planning process should produce a write-up that responds to the questions in the seven steps below. When you submit the tool, please include the *cover page* describing the core team leading the drafting of this proposal, and the *tool page*, informed by the questions below.

## Step 1: Desired Results/Outcomes of Initiative, Policy, Practice, or Budget Decision

**What is the proposal under consideration, and what are the desired outcomes?**

- Describe the proposal. What are its intended outcomes, internally and externally? Frame this through the experience of those most impacted: how does this proposal impact the students/communities with the greatest needs?
- How will the proposal address racism, close opportunity gaps, and pay our education debt?

## Step 2: Analysis of Data

**What does the data tell us about the current situation?**

- What existing data is available to help support/demonstrate the need for this proposal, and is that data disaggregated by race?
- How will the proposal impact populations such as black, ELL, Special Education, and/or economically disadvantaged students?

## Step 3: interested/affected group Engagement

**How have key internal and external interested/affected groups (such as black, ELL, Special Education, and/or economically disadvantaged students, families, and staff) been engaged in considering and shaping the proposal?**

- Who are the interested/affected groups most impacted by the proposal, and how have we involved them in developing the proposal?
- What has our engagement told us about the potential positive and/or negative impacts of the proposal for different groups and how this proposal might produce or perpetuate racial inequity?

## Step 4: Analysis of Beneficiaries/Burdened and Strategies to Enhance Equity

**Given what we learned from steps #2 and #3, who benefits from this proposal, and what are our strategies for advancing equity?**

- Do our strategies address conditions that perpetuate inequities instead of attempting to “fix” students/other people?
- Who may benefit from or be burdened by the proposal? What are the potential unintended consequences?
- Are the impacts aligned with our desired outcomes as defined in Step #1?
- Can the proposal be modified to enhance positive impacts or mitigate negative impacts?

## Step 5: Implementation Plan

**What is our plan for implementation?**

- Is the plan realistic and adequately resourced?
- Does it include leaders and personnel who bring an equity lens?
- If any of the answers immediately above are no, what resources or actions are needed to address the issue(s), who will perform them, and when?

## Step 6: Accountability and Evaluation

**How will we ensure accountability, including evaluating and communicating results?**

- How will the impact of your proposal be documented and evaluated, including whether we achieve the anticipated outcomes, advance equity, and pay the education debt?
- How will you disaggregate and present data to highlight how this strategy impacts historically marginalized communities?

### Step 7: Next Steps

**After using the tool to examine this proposed (policy/program/ practice/budget/procedure) – should it move forward?**

- If yes - write it up and submit it. When will you disaggregate and present outcome data?
- If no - what specific changes will be made, and what is the deadline for changes to be made before moving forward?

## Equitable Planning Tool Cover Sheet

**Title:** \_\_\_\_\_  
*Name of the policy, practice initiative, program, or budget decision under consideration*

**Dept./School:** \_\_\_\_\_

**Main Contact:** \_\_\_\_\_  
*Name* *Email* *Phone*

**Interested/Affected Groups Consulted**

List of core participants' names, affiliation to an interested/affected group (staff, students, families, community advocates, partners, etc.), and their racial/ethnic identities. Add rows as needed.

Name	Affiliation/interested/affected group Group	Race/Ethnicity

Please describe the way(s) interested/affected groups were engaged in the planning process. Include information regarding the quantity of engagement.

Were the participants reflective of the population that this decision impacts/involves? If not, please explain barriers to representation and your efforts to overcome them.

**Equitable Planning Tool - Rationale/Response Sheet**

<b>1.</b>	<b>Proposal Description and Desired Results/Outcomes of Initiative, Policy, Practice, or Budget Decision</b> <i>What are the proposal's/effort's desired outcomes, including eliminating disparities?</i>	
Your Resp.		
<b>2.</b>	<b>Alignment with the Strategic Plan</b> <i>How does the proposal/effort align with the district's strategic plan?</i>	
Your Resp.		
<b>3.</b>	<b>Analysis of Data</b> <i>What data was analyzed? Was it disaggregated by race and other key groups? What did it show regarding disparities?</i>	
Your Resp.		
<b>4.</b>	<b>interested/affected group Engagement</b> <i>What did the interested/affected groups/students/ families most impacted by this proposal/effort say?</i>	
Your Resp.		
<b>5.</b>	<b>Analysis of Beneficiaries/Burdened and Strategies to Enhance Equity</b> <i>What are possible unintended consequences (positive and negative)? How does this proposal/effort mitigate disparities and increase equity for marginalized populations?</i>	
Your Resp.		
<b>6.</b>	<b>Implementation</b> <i>How will implementation ensure all objectives, particularly equity-related objectives, are met? What are the group identities of the implementation team, and will they bring an equity lens?</i>	
Your Resp.		
<b>7.</b>	<b>Accountability, Evaluation, and Communication</b> <i>How will impacts be assessed, documented, and communicated to interested/affected groups? Who will be responsible?</i>	
Your Resp.		
<b>8.</b>	<b>After using the tool to examine your proposed (policy/program/ practice/budget/procedure) – should it move forward?</b>	
	<b>Yes</b> - <i>When will you disaggregate and present outcome data?</i>	<b>No</b> - <i>What specific changes will be made, and what is the deadline for changes to be made before moving forward?</i>
Your Resp.		



# Appendix F





# Appendix G

# Newsletter Equity

# @ CSD

Vol. 1 September 2022

## DIVERSITY



of people and perspectives

## EQUITY



in policy and practice

## INCLUSION



of all voices and visions

## Welcome

### To the first newsletter from the Department of Equity and Student Services!

Greetings beloved CSD staff. We are pleased to share key resources, data, and other equity-related information with you in a monthly newsletter format! There will be a lot of teacher-related information here, but we hope this newsletter will be a valuable resource for everyone. No matter what job you have in CSD - equity matters! Eliminating "-isms" and ensuring equitable outcomes takes all of us working and learning together.

### Equity Resource of the Month!

#### Teach Central America Week

This site encourages and supports teaching about Central America. Teaching for Change has collected [lessons](#), [booklists](#), [biographies](#) of noted historical figures, and [readings](#) for free use by classroom teachers.

## September's Equity Topic Is . . . Equity!

Equity is simply making sure that everyone gets what they need; it's often confused with equality - which is not the same thing. You can think about it like shoes.



Equality is everyone getting a pair of shoes.



Diversity is everyone getting a different type of shoe.



Equity is everyone getting a pair of shoes that fits.



Acceptance is understanding we all wear different kinds of shoes.



Belonging is wearing the shoes you want without fear of judgment.

[ifunny.co](#)

## September Events

### Rosh Hashanah - 25th-27th

This holiday celebrates the Jewish new year. Please be proactive by asking students and families if they will need any type of accommodation.

### Hispanic Heritage Month Sept. 15 - Oct. 15th

We celebrate Hispanic Heritage Month to recognize the achievements and contributions of Hispanic/Latin@/Latinx Americans who have inspired others to achieve success. See more information, lesson plans, etc. regarding this topic on our [Equity website](#).

## Upcoming Events

### Equity Connection Sessions

Join us for interviews about CSD's equity work with key CSD figures. Here, we ask them to answer the question; *what does race have to do with this?*

Our [next session](#) is with Mr. Billy Heaton, Principal of Talley St. Upper Elementary. 6pm Oct. 17th 2022.

## #Doing the Dang Thing!!

Were you making equity happen in Sept? Check out the photos below. Also check our social media to see if you got caught in the act!



### DHS & BHMS GENTS Leadership Retreat

Advisors Stroy, Chisholm, Post, McAdoo, Ratcliff & the GENTS Crew taking in a Falcons game during the retreat.

### Talley St. Students Placed in Houses

A group of Talley St. students celebrate being placed in their houses.



## Why Racial Equity?

*"Racial equity is about applying justice and a little bit of common sense to a system that's been out of balance.*

*When a system is out of balance, people of color feel the impacts most acutely, but to be clear, an imbalanced system makes all of us pay."*

~ Glenn Harris, President, Race Forward

CSD is like far too many other school systems in the US in that our black students are suffering the abhorrent outcomes of our education debt. We have committed to correct this wrong by making fundamental changes to eliminate systemic racism in our institution. This work involves many facets such as transforming values, creating culture, and changing policies and practices.

*Fighting racism—in academia, in media, in activism, in art, in education, or in public service—is more than a job for most of us. It's a calling to save nations from their national histories, to save human beings from human beings. Racism is an existential threat to the United States, like climate change, pandemics, and nuclear war. We know that the American people can't handle this truth, but we tell them anyway and brace ourselves for the postracial gales bound to come—such as this one.*  
Ibram X. Kendi

## More Sources & Resources

### Video

The Education Debt: Improving Student Outcomes [Webinar](#) – Gloria Ladson-Billings

### Webpage

5 Ways to Raise Inclusive Kids Despite Living in Segregated Neighborhoods

Here are ideas about [how to foster inclusive attitudes in children](#) - from all racial backgrounds - who live and attend school with people who look just like them.

## Our Good Troublemaker of the Month

### AMELIA COPP

#### What do you do?

*I am an Early Intervention Teacher, MTSS Co-Chair, and Equity Team Leader at Glennwood Elementary School.*

#### Why do you do it?

*The power of race impacts all of us, and inequities continue to exist for black and brown members of our school system. As a white teacher, I work to counter systemic racism in our schools so that we ALL can help ALL students become the best version of themselves.*

#### What Makes Amelia a Good Troublemaker?

She suggested starting this newsletter to help CSD staff learn more about equity, support equity, and do equity work.



## What is Racial Equity @ CSD?

Unfortunately, we haven't fixed racism yet.

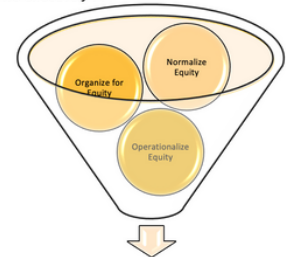
CSD is a work in progress as we move forward to address racial equity through our *Equity Action Plan*, which has three key parts: Normalize, Organize, and Operationalize.

We are *Normalizing* racial equity - establishing it as a key value while developing cultural humility and a shared organizational understanding of key concepts related to racial equity.

We are *Organizing* for racial equity - building our capacity for culturally responsive teaching, and ultimately, working to hold all employees accountable for their growth, development, actions, and outcomes - as they relate to anti-racism and racial equity.

We are *Operationalizing* racial equity - implementing restorative practices; working to increase and retain staff members with diverse backgrounds; and consistently reviewing and revising practices and procedures to: ensure equitable outcomes for all, cultivate inclusivity, and make sure our students are safe, seen, and successful.

In other words, if we effectively . . .



CSD will eliminate inequitable outcomes for all students.



# Appendix H

# Newsletter Equity

# @ CSD

Vol. 4 December 2022

## DIVERSITY



of people and perspectives

## EQUITY



in policy and practice

## INCLUSION



of all voices and visions

## ਸਤ ਸ੍ਰੀ ਅਕਾਲ!

from the Department of Equity and Student Services.

Greetings beloved CSD staff.

Given this month's topic, there may be some of you who are not feeling so beloved right now. I only ask that you be patient and open, have faith in my love for ALL of y'all, and, as you read more about December's topic, remember the following equations.

**White People** = human beings.

**White Supremacy Culture** = the idea that white is right/best - it results in things listed in and related to the picture on the right\*\*.

People get the two confused but they are NOT the same thing.

**White supremacy culture** can be displayed by people from any racial/cultural background.

**White people** are just everyday human beings - brothers and sisters caught up in the social construction of race.

Now let's get into this thing!

### Equity Resource of the Month!

**Me and White Supremacy: Combat Racism, Change the World, and Become a Good Ancestor**

For readers of White Fragility and other related texts who are ready to closely examine their own beliefs and biases and [do the work](#) it will take to create lasting social change.

## December's Equity Topic Is . . . White Supremacy Culture



\*\* If you're not sure why some of the things in the pyramid are examples of WSC, please reach out to your school or building's Equity Team for more info.

## What is White Supremacy Culture?

As early settlers came to what would become the U.S., those in leadership were male and Christian. They did not identify as white. They identified with ethnic, national, and/or religious roots - they were English, French, Dutch and they were Protestant, Catholic, and Puritan. They came with the desire to create a "new world" where they could profit and prosper. But, once here, they faced a big problem. They were outnumbered by the Indigenous people whose lives and land they were stealing and the Africans they kidnapped for enslavement and forced labor.

Because the financial elite was outnumbered and threatened by the solidarity of lower-class individuals from multiple cultures (see [Bacon's Rebellion](#)), they created the category of "white" and consolidated what we now recognize as the ideology of white supremacy as a way to organize very different immigrants into a singular and unifying

category based on skin color - a category designed to pit them against and place them above Indigenous and enslaved peoples in order to gain access to material, emotional, and intellectual benefits.

Today, those actions have become a culture so pervasive that it is replicated by people from multiple cultural backgrounds who are either totally unaware that we have been programmed to believe that "white is right/best/beautiful," or, people who are aware but don't care or are having difficulty shutting down this implicit (and explicit) mental programming.

In sum, throughout this newsletter, when you see the term "white supremacy culture (WSC)," it refers to ways in which the ruling class in the U.S. uses the social construct of race to create and elevate Whiteness, the way many white people who are not part of the ruling class reinforce the culture because they believe that they benefit from it, and the ways others of us have been so indoctrinated that we reinforce the culture without even meaning to do so.

### Intersectionality & White Supremacy Culture

White supremacy culture rarely stands alone. It often works together with and supports, reinforces, and reproduces capitalism, class oppression, gender oppression, heterosexism, ableism, and Christian privilege - just to name a few of its friends.

For example, classism tells us the rich work for it and the poor do not, while it reproduces WSC through a racially disparate reproduction of wealth and exploitation of labor. In another example, Christian hegemony teaches us that Christians (and white Christians at that) are divinely capable of shaping and defining reality for the rest of us. (Remember [Manifest Destiny?](#) or [Dobbs v. Jackson?](#))

Such factors intersect with WSC to clearly indicate who is given worth in US society and who is not.

## The CCAR Compass

The CCAR Compass illustrates how people are often thinking and feeling when race comes into a conversation. CCAR tells us; if the person using the compass is sensitive to where others may be coming from on the compass and is aware of where they themselves are coming from, then, they will be better able to communicate by striving to meet the person they are talking to - in the middle.

Let's use WSC to illustrate each section of the compass.

**Quadrant I** - Emotional (heart): responding to information through feelings (when racial issues strike us at a physical level and cause an internal sensation such as anger, sadness, joy, or embarrassment). *For example, when you read that this newsletter was about white supremacy culture, you may have felt uncomfortable.*

**Quadrant II** - Intellectual (mind): response to a racial issue or information may be characterized by disconnecting the personal and turning to a search for more information or data. *For example, when you read the newsletter's definition of WSC, you may have started to question the definition, or, search for another definition.*

**Quadrant III** - Moral (soul): responding from a deep-seated belief that relates to the racial information or event. Justifications of one's moral views may be seated in the "gut" and may not be verbally articulated. *For example, when you found the newsletter topic was WSC, you may have gone straight to your belief that one shouldn't talk about such matters, or, that it's about time we talked about such matters.*

**Quadrant IV** - Action (hands/feet): connecting and responding to racial information through actions and behaviors. *For example, when you learned this month's topic was WSC, you may have been ready to act - perhaps by refusing to read this newsletter, rushing to read this newsletter, or, writing to ask for an explanation of why we would write about this topic.*



Stay tuned next month for the Four Agreements!

## What is White Supremacy Culture Doing in a Nice Field Like Education?

There are probably some of you who are wondering . . . why is all this information about WSC in an education newsletter??

WSC and its corresponding attitudes don't belong to only one ideology, one political party, or one particular geographical location. These attitudes exist across different regions, socio-economic classes, income levels, education groups, and political affiliations. Since both anti-blackness and white supremacy are baked into our country's foundation, they often play out in our daily lives and this includes school. For example, studies show that when educators perceive challenges to their power, they

disproportionately view Black students as the source. In 2016, [research](#) from the Yale Child Study Center determined that, as early as preschool, educators tend to police Black students' responses to their authority. We perceive Black students as exhibiting more "challenging behavior"—including "willful defiance," "insubordination" and "disrespect"—than their non-Black peers. We even watch Black students more often!

A central tenet of white supremacy—now and in the past—is that white women must be protected from danger, real or imagined. So we can't ignore the fact that white women make up more than 60 percent of U.S. public school teachers and 64% of CSD schoolteachers.

When white women call administrators or SROs and say they are "afraid of their black students," they receive focused attention that frequently results in swift and punitive measures for students. It's imperative that white female educators, especially, recognize this pattern, actively work with their biases, and develop relationships with their Black students so that they react more thoughtfully when issues arise.

Education is never a value-neutral endeavor. In a final example of WSC, we teach an explicit curriculum every day - the GA Standards of Excellence. However, we also teach an implicit and null curriculum. For hundreds of years, the histories and true stories of marginalized people have been left out of our "standards of excellence." Doing so has bolstered WSC and conveyed a clear message to generations of students about whose lives actually matter.

Yes, addressing WSC in education is uncomfortable and painful. But as James [Baldwin](#) once said, "nothing can be changed until it is faced". Let's face it in CSD.

## Upcoming Events

### Equity Connection Sessions

Join us for interviews about CSD's equity work with key CSD figures. You can log into the meeting [here](#) or on the Equity website.

Upcoming [sessions](#):

- Mrs. Karen Newton-Scott, Chief of School Improvement and Principal, FAVE, Dec. 19th @ 6 pm
- Jan 16th, 2022 - Ms. Rochelle Lofstrand, Principal, DHS

### The Holiday Season

I don't want to be the Grinch, **BUT**; if you want to celebrate during this time of the year, make sure you celebrate [everyone](#)! Children

### Did You Know?

The first person to contact E&SS with the name of the language of this month's newsletter greeting will win a prize!



often feel left out and ignored during what so many call the Christmas season. Let's pull them back in! Just calling it a "holiday celebration" isn't enough. Be intentional & equitable.

## #Doing the Dang Thing!!

Have you been making equity happen recently?? Check out these photos and our social media to see if you have been caught in the act!



### Love Fan Club!

Members of Equity and Student Services were excited when our Coordinator introduced us to noted author and activist [Bettina Love](#). He knows everybody!



### GLB!

One of the foundational scholars behind CSD's Do-4 CRE Framework, [Gloria Ladson Billings](#), provides some sage advice during the 2022 International Conference on Urban Education.

## Sources and Resources

### Resources

#### Divorcing White Supremacy Culture

Updated [article and website](#) published by Tema Okun in 2021, a revised and updated take on the original article outlining White Supremacy characteristics written in 1999. She wishes to note that this website is offering [one](#) way of understanding white supremacy culture, not [the](#) way. She encourages us to, "take whatever wisdom you find here and make it grow, correct whatever mistakes you find, create something deeper, wiser, better, and put it out in the world to help us all."

### Lesson Plans

#### The Learning Network: Resources for Teaching About Race & Racism

This highly regarded [resource](#) from the NYT offers A curated collection of over 75 lesson plans, writing prompts, short films, and graphs relating to racism and racial justice.

### Books

#### Books To Teach White Children and Teens How To Undo Racism And White Supremacy

One of the best ways to raise healthy, race-conscious white children is to talk to them early and often about racial injustice and racial differences in the course of your daily family life. Local bookstore Charis Books, recommends the following [books](#) for all families, but especially for parents of white children who may be struggling to talk about racial injustice with their kids and teens.

## Our Good Equity Troublemaker of the Month

### MS. HEIDI WHATLEY

#### What do you do?

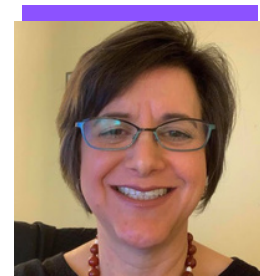
I am the Director of Alternative Programs and I am honored to lead the work with our students at Decatur Virtual Academy (DVA) - the primary academic delivery model for the CSD's Alternative Programs.

#### Why do you do it?

I enjoy problem-solving with families and students to figure out how their students can be successful. I believe in meeting students wherever they are. I am proud when our students who are school-phobic, suffer trauma or loss, or are unengaged in school, experience success in DVA. I enjoy seeing students who were expelled for discipline issues develop new understandings and new commitments to life goals.

#### What Makes Heidi a Good Troublemaker?

Ms. Whatley was nominated because of the "transformative work she has done with DVA students and her deep level of commitment to DVA. She even goes to students' houses and jobs to make sure they are doing their work!" She is also actively wrestling with whiteness.



**DO YOU KNOW ANY GOOD TROUBLEMAKERS? NOMINATE THEM [HERE](#).**



# Appendix I

# Newsletter Equity

# @ CSD

Vol. 9 May 2023

## DIVERSITY



of people and perspectives

## EQUITY



in policy and practice

## INCLUSION



of all voices and visions

## Aloha!

from the Department of Equity and Student Services.

Anti-racism is kinda' like broccoli. Some people love it, some hate it, and others have never tried it. But just like broccoli, anti-racism is good for you! It's a superfood for your mind and soul.

Anti-racism isn't something you just do once in a while and call it a day. You have to make it a part of your everyday life. You have to be intentional about it, just like you have to be intentional about eating your veggies.

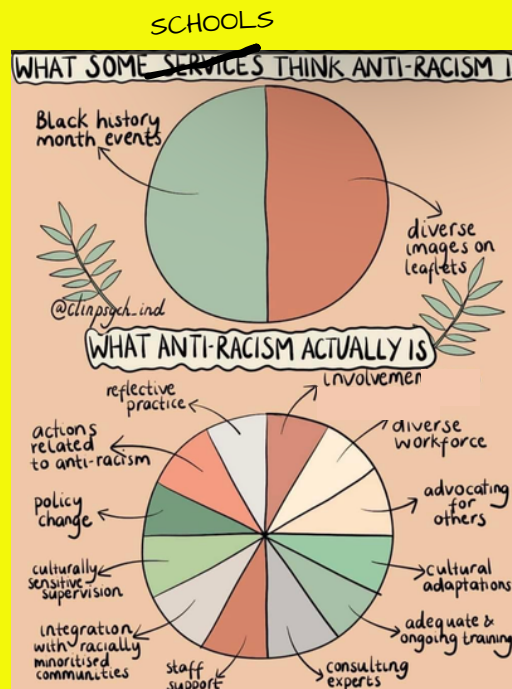
And like broccoli, anti-racism can sometimes be a little bitter. It's uncomfortable to confront our own biases and privilege. But just like we sometimes add a little cheese or seasoning to make broccoli taste better, we can also find ways to prepare ourselves to make anti-racism real. Maybe that means listening to a podcast, talking to POGM, or reading a book that breaks down complex ideas more easily - then, getting to WORK.

So, let's all eat our broccoli and embrace anti-racism as a regular part of our lives. It may not be everyone's favorite thing, but it's good for us and for the world. Anti-racism is about pushing past knowing better and, instead, actively doing better. See some tips on how to do that in this month's newsletter.

### Equity Resource of the Month! Harvard Repository of Anti-Racism Resources

Members of the university have compiled [resources](#) to educate, facilitate, and equip those who want to become more effective anti-racism allies who push back against the systems that oppress black, Indigenous, and other People of the Global Majority (POGM).

## May's Equity Topic Is ... Anti-Racism!



## Being Anti-Racist: Five Tips

First, what is it to be 'anti-racist'? Being anti-racist is to actively identify and oppose or challenge racism. The idea is that by challenging racism, we can directly impact and change beliefs, behaviors, and policies that continue to maintain a culture of racist ideas and actions. Over the last several years, the Black Lives Matter movement, as well as other protest movements and organizations like Stop Asian Hate, have helped to shine a brighter light on how racism operates in our society.

What POGM really need white people to do is consciously, consistently, and intentionally unlearn racism. It's no secret that shame and guilt go hand in hand with unlearning racism - but you can't do this work in any meaningful or truthful way without experiencing these feelings and - you *will* feel uncomfortable. Trying to do anti-racism work while remaining comfortable and actively avoiding your feelings, is just not possible.

POGM, must also work to be anti-racist by intentionally dedicating our efforts toward unlearning any internalized racism and de-elevating our internalized whiteness, racism, or bias toward other POGM.

So - since we've all got some work to do to become anti-racist, here are five tips that can help us get there.

### Tip # 1: Work on Your Racial ID Development



Are you familiar with the adage about the drowning man? In order to save someone else, you must first be able to save yourself. We've all been raised in a society that elevates white culture over all others. Want to become anti-racist? Then first work to challenge white supremacy

culture inside yourself and become familiar with who you are as a racialized being. When were you first aware of race? How did that experience with race affect your interactions today? These and other queries are related to what's called your **racial identity development**, and they are important questions to consider when you want to begin anti-racism work. A helpful resource to learn more about your racial ID is the article - [STAGES OF WHITE RACIAL/ETHNIC IDENTITY DEVELOPMENT and STAGES OF RACIAL/ETHNIC IDENTITY DEVELOPMENT](#) - summarized by Beverly Daniel Tatum.

### Tip # 2: Don't be Afraid to be Woke.



Of recent wins on the right, the theft and ubiquitous misappropriation of the word "woke" has been the most ludicrous. Most right-leaning folk who use it don't even have the capacity to understand what "woke" actually means. As many things are, "woke"

is a term misappropriated from the African American community, which uses it to describe a state of being where one is aware of and working to address social injustice.

Want to be an anti-racist? Don't give up the term or the ideas behind it. Fight back. When confronted by some ijit mislabeling an issue as a matter of wokeness: ask - "What do you mean by woke?" - to question its pejorative use. Then let them know that if by "woke," they mean ending racism and inequality, reforming curriculum so that it is representative of historical truth, and striving for a world where our chances in life are not determined by the place of our birth or the color of our skin, then you are W O K E and suggesting that they should be too. **(Cont. on pg.3)**

## CCAR - Condition Five and Six

We conclude our series on CCAR by looking at CCAR's Six Conditions, specifically, Conditions 5 and 6. CCAR notes that applying these allows people to **deepen** conversations involving race.

CCAR Condition	Explanation	Rationale
5. Use a "working definition" for race.	Race is different from ethnicity and culture and exists as an influential social construct.	When we are intentional about placing a focus on race, we are better able to distinguish race from other terms often used to mask it like "ethnicity," "SES," or "culture". This helps us avoid/interrupt detours and keep viewing the conversation through a racial lens.
6. Examine the presence and role of whiteness.	Look at whiteness through the lens of color, culture, and consciousness and ask how it is operating in the current discussion.	Unpacking the way whiteness shows up in a conversation interrupts white supremacy culture. It allows us to interrogate how that culture is influencing the issues we are discussing as well as the very discussion itself.  Through doing this, a conversation about race can get real, and we can get to the heart of the matter without beating around the bush.

### Final Thoughts

Now that we are at the end of our series on Courageous Conversations - what do you think?

When it comes to CCAR protocol, it may seem like just a bunch of rules to remember. But it's so much more. Think of the compass, the four agreements, and the six conditions as helping us to a different way of being - being more real, more direct, and more anti-racist in our conversations and relationships with others than we have ever been before.

If you haven't had the opportunity to take *Beyond Diversity* - the first CCAR training session - put a bug in your supervisor's ear and help make it happen by contacting E&SS.



## Being Anti-Racist: Five Tips Cont.

### Tip # 3: Seek out books, films, and TV shows which will challenge your understanding of race and culture and help you learn to see anti-racism in new ways.



Pass up the familiar "feel good" TV shows and films showing POGM overcoming racism, often in the Jim Crow South, with help from well-meaning white people (in other words, skip screenings of *The Help* or *Green Book*). TV shows and films about anti-racism should be messier and much more provocative. The goal is to expose yourself to art that challenges you - that cuts through prejudices and stereotypes and helps you finally fully see POGM. We suggest the following.

- *Bamboozled*. - a satirical dark comedy-drama film written and directed in 2000 by Spike Lee about a modern-day televised minstrel show.
- *Hollywood Shuffle* - a 1987 satirical comedy film about the racial stereotyping of African Americans in film and television.
- *Blacks Britannica* - commissioned by PBS in 1978, this film examines racism through the lens of black, working-class Brits.
- *Did You Wonder Who Fired the Gun?* - begins as a 2017 "live documentary" about one white filmmaker's reckoning with his family's racist past and morphs into a powerful spectacle.
- *Do the Right Thing* - it's brutally clear today how perfectly this 1989 film depicted how black Americans are treated by police.
- *Get Out* - a film that takes a topic often approached cerebrally - liberalism and casual racism - and turns it into something that makes you laugh to keep from crying.
- *Everything Everywhere All at Once* - a 2022 film portrayal of philosophical concepts such as existentialism, nihilism, and absurdism, as well as themes such as neurodivergence, depression, generational trauma, and Asian American identity.
- *Rat Film* is a 2016 film about rats and the history of eugenics, dubious science, "redlining," and segregated housing in Baltimore.
- *Daughters of the Dust* - this 1991 film tells the story of the Peasant family, Gullah women on Saint Helena Island, as they prepare to migrate off the island, out of the Southern United States, and into the North.

### Tip # 4: Be a Real Ally - ACT.

An anti-racist ally is a person who works to [learn how to recognize what everyday racism looks like](#) - from pay inequity to social persecution - and works to address it. Real allies . . .

- learn how to uplift the voices and ideas of POGM.
- hold the tension between being asked to speak up while, at the same time, also being asked not to speak up on behalf of POGM and just listen.
- fear saying the wrong thing, but still act on their strong desire to say and do something.
- learn to respond rather than react - and welcome feedback on their own racism without spiraling out of control or making it about their intent.
- accept that there is no certificate or completion date for becoming anti-racist.
- accept they will get it wrong and do it anyway.
- understand that there is no magic formula or one-size-fits-all approach to dismantling white supremacy culture.



To be an effective ally, you must assess your own power - where are the spheres where you can have the most influence? Beyond the obvious strategy of confronting family and friends who may be racist, consider things like this: When you sit down at a PTA meeting at your child's school, which parents do you speak with and get to know? Do you notice how procedures or strategies are advantaging whiteness at work, at church, in your HOA meetings? And, are you helping to make lasting changes in the policies that enable those outcomes?

### Tip # 5: Get Receipts.

So you think you're doing the dang thing . . . I mean, after all - you're reading the equity newsletter! But are you? Are you really doing what it takes to be anti-racist - not when it's safe - but when it matters?

Where are your anti-racist receipts? In other words, what tangible things have you done, risked, changed, been ostracized for, been thanked for, or just tried to do - even though they were scary? To quote Maggie Kuhn, do you speak up - in spite of the fact that your voice is shaking?

Do you care about humanity enough to reject some of your Christian, white, cishet, or other privileges?

Trust me. You will never have to declare yourself an "anti-racist ally". People in POGM communities will let you know when you have loved them enough to show up, and their acknowledgment - is the only receipt you need.



**Upcoming Events**

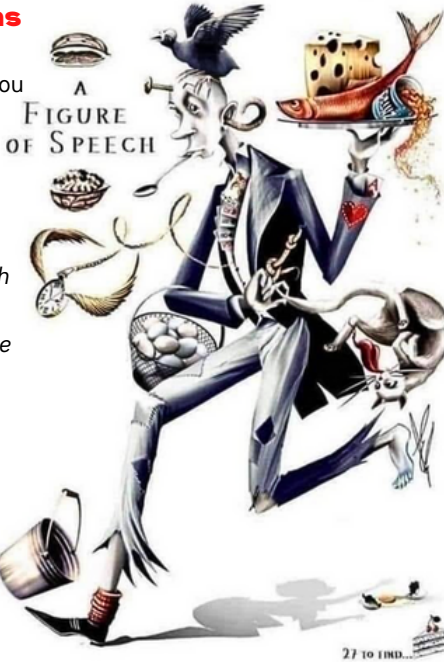
I'll start with "cat's got his tongue".

**Equity Connection Sessions**

Join us for interviews about CSD's equity work with key CSD figures. You can log into the meeting [here](#) or on the Equity website.

**Upcoming sessions:**

- Dr. Maggie Fehrman, Superintendent, CSD - May 15th @ 6 pm
- June 19th, 2023 - Ms. Christine Knox, Principal, Westchester



**Did You Know?**

That the first person to contact E&SS with the correct name of the 26 figures of speech represented in this photo will win a prize!



**Quenching a Thirst for Justice!**

BHMS YLOE and GENTS recently donated thousands of bottles of water for disaster relief.



**#Doing the Dang Thing!!**

**March on Decatur!!**

Students and staff from Clairemont Elementary swarmed the streets of Decatur and spoke at the courthouse to encourage us all to eliminate the "isms"! Whose streets? Their streets!



Have you been making equity happen recently?? Check out these photos and CSD social media to see if you have been caught in the act!

**Our Good Equity Troublemaker of the Month**



**DO YOU KNOW ANY GOOD TROUBLEMAKERS? NOMINATE THEM [HERE](#).**

**DR. MAGGIE FEHRMAN**

**What do you do?**

CSD Superintendent, Wilson Center

**Why do you do it?**

*I believe, at my core, public education is the foundation our democracy must be built upon. I believe that for public education to fulfill this calling, it must be a liberating system that meets the needs of all students so that each and every student has equitable access, opportunity, and support to a successful life. I have taken on the challenging position of superintendent, so I can interrupt practices that get in the way of this promise to our nation's children and our democracy.*

**Sources and Resources**

**Learn More about the AA & NHPI Community and AA & NHPI Heritage Month!!**

**Asian/Pacific Heritage Month**

[Library of Congress and the National Archives and Records Administration.](#)

**Asian Pacific American Center**

[Smithsonian.](#)

**Asian Americans Then and Now - Linking Past to Present**

[Asia Society.](#)

**There are many more AA & NHPI resources on the Equity website. Check us out!**

[EQUITY.CSDECATUR.NET](http://EQUITY.CSDECATUR.NET)

**The Long, Ugly History of Anti-Asian Racism and Violence in the U.S.**

[Washington Post.](#)

**PBS - Asian Americans**

Teach the PBS Series "[Asian Americans](#)" and use the accompanying [curriculum](#) developed by Asian Americans Advancing Justice.

**AAPI?**

Is it time to [retire](#) the term Asian American Pacific Islander, because it marginalizes Indigenous Pasifika Island peoples?

**What Makes Dr. Fehrman a Good Troublemaker? Her Nominee Said . . .**

*Dr. Fehrman has been a true racial equity champion. To make racial equity work stick, change must come from the top. She has defined herself as the top racial equity leader in the District and never hesitates to support the work with much more than her mouth. She is always open to checking her own white privilege and doesn't hesitate to be a true ally by checking that of others as well.*