



December 2, 2025

U.S. Department of Education
Office of the General Counsel
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Deputy General Counsel and Department Leadership,

This is a federal Civil Rights complaint filed under the U.S. Department of Education's Office for Civil Rights ("OCR") Complaint Resolution Process against North Thurston Public Schools (NTPS), located at 305 College Street NE, Lacey, WA 98516.

Fair For All (FAIR) is a nonpartisan, nonprofit organization dedicated to advancing civil rights and liberties, and promoting a common culture grounded in fairness, understanding, and humanity. FAIR alleges that North Thurston Public Schools, a public institution receiving federal financial assistance, violated Title VI of the Civil Rights Act of 1964 and Title VII of the Civil Rights Act of 1964 by intentionally discriminating on the basis of race through the planning, promotion, and hosting of racially segregated staff events.

Basis of the complaint

In November 2024, FAIR sent a formal letter to Superintendent Troy Oliver informing NTPS that its racially segregated "Educators of Color" event likely violated Titles VI and VII of the Civil Rights Act. That letter is attached. FAIR provided the district with the relevant statutory and constitutional standards, explained why such an event was unlawful, and explicitly urged NTPS to revise the invitation to ensure that the event was open to all employees and did not separate staff based on skin color.

NTPS was therefore fully on notice that race-exclusive staff events violate federal civil rights law.

Despite this clear warning, Ms. Shawna Kiliz, acting on behalf of Dr. Antonio Sandifer, the Director of Equity and Languages, sent an e-mail explicitly inviting only "staff of color" to a "Staff of Color Gathering" gathering on December 8th, 2025. A copy of the e-mail is attached.

Unlike the prior year, the district did not post a public flyer; instead, it sent a private email only to employees of color and relied on selective, informal word-of-mouth distribution. According to an anonymous submission to FAIR's network, multiple non-"staff of color" employees were left with the impression that they were not invited.

Because NTPS continued the practice after receiving FAIR’s detailed legal warning, FAIR was compelled to file this OCR complaint.

Relevant Law

As FAIR explained in its November 20, 2024 letter to NTPS, Titles VI and VII of the Civil Rights Act and the 14th Amendment prohibit public schools from separating employees or excluding them from benefits on the basis of skin color.

Titles VI and VII of the Civil Rights Act and the 14th Amendment to the Constitution from which the Civil Rights Act was derived prohibit public schools from separating employees or otherwise excluding employees from certain benefits based on skin color. Title VI provides:

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.

42 U.S.C. § 2000d. As recipients of federal funds, public school districts must comply with Title VI. *Campaign for Fiscal Equity, Inc. v. New York*, 631 N.Y.S.2d 565, 573 (N.Y. 1995). Similarly, Title VII provides, in relevant part:

It shall be an unlawful employment practice for an employer - (1) to...discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin.

42. U.S.C. §2000e-2a. As employers of more than 15 employees, public schools must comply with Title VII. *Hazelwood School District v. United States*, 433 U.S. 299 (1977).

Federal civil law requires that all distinctions based on race be subjected to strict scrutiny, including distinctions characterized as “benign” or “separate but equal.” Courts apply this standard not only to invidious discrimination but also to racial classifications intended to help or separate individuals based on race. Strict scrutiny is a searching examination and is rarely survived. To withstand it, an entity must show both a compelling governmental interest and that the means chosen are narrowly tailored; a policy is not narrowly tailored if a less restrictive alternative is readily available.

Historically, the Supreme Court recognized only two compelling interests that could support racial classifications: (1) student diversity in higher education and (2) remedying an entity’s own past discrimination. Neither applies here. Moreover, the Supreme Court in *Students for Fair Admissions v. Harvard* (2023) determined that even these interests were not sufficiently coherent to justify racial classifications. The Court emphasized that “[e]liminating racial discrimination means eliminating all of it” and that the Equal Protection Clause applies universally, such that “the guarantee of equal protection

cannot mean one thing when applied to one individual and something else when applied to a person of another color.”

For these reasons, FAIR previously advised NTPS that holding a racially segregated “Educators of Color” event is unconstitutional. Those same legal principles apply with equal force to the district’s 2025 “Staff of Color Gathering.”

Specific Allegations

1. NTPS organized and promoted racially segregated staff events in 2024 and 2025 that invited only employees “of color.”
2. These events were funded with public resources and held on district property.
3. In 2025, NTPS sent the invitation exclusively to staff “of color,” leaving other employees uninformed or believing they were excluded.
4. NTPS proceeded despite receiving FAIR’s detailed letter in 2024 explaining that such events violate federal civil rights law.
5. NTPS failed to revise, rename, or open the event to all employees as FAIR urged.
6. NTPS concealed the 2025 event from general staff by omitting public postings and relying on a restricted email list and selective internal communication.

Harm Caused

The district’s actions excluded employees from professional and community-building opportunities on the basis of race and fostered division among staff. NTPS created a workplace environment that normalizes racial segregation, causes employees to feel unwelcome or less valued, and undermines equal access to district-sponsored benefits.

Requested Remedies

FAIR respectfully requests that OCR:

1. Open a formal investigation into NTPS’s 2024–2025 race-exclusive staff events.
2. Require NTPS to cease all racially segregated events, programs, or invitations.
3. Require NTPS to revise policies to ensure all district events are open to all employees regardless of race.
4. Require training for district administrators and Equity & Languages staff on Title VI and Title VII compliance.
5. Require NTPS to issue a corrective notice to all staff acknowledging that such events were unlawful and will not continue.
6. Implement measures ensuring transparency and nondiscrimination in all future staff programming.

Conclusion

Because North Thurston Public Schools ignored FAIR's 2024 warning and continued to sponsor racially exclusive events in 2025, FAIR submits this complaint to request OCR intervention. NTPS's conduct constitutes intentional discrimination and violates Titles VI and VII. FAIR respectfully asks OCR to investigate and require corrective action to protect the civil rights of all district employees.

Very truly yours,

Monica Harris

Monica Harris

Executive Director

Fair For All

Enclosures:

1. "Educators of Color" invitation e-mail dated November 12, 2025
2. FAIR's letter to NTPS dated November 20, 2024