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DEPARTMENTS OF JUSTICE AND EDUCATION REACH AGREEMENT WITH OWATONNA, MINNESOTA PUBLIC SCHOOLS TO RESOLVE HARASSMENT ALLEGATIONS

WASHINGTON – Today, the Justice Department’s Civil Rights Division and the Department of Education’s Office for Civil Rights, reached a settlement agreement with Independent School District #761 in Owatonna, Minn., to resolve an investigation into the race and national origin harassment and disproportionate discipline of Somali-American students at Owatonna High School.

The complaint alleged severe and persistent harassment of Somali-American students, culminating in an incident in November 2009, when approximately 11 white and Somali-American students engaged in a fight. Title IV of the Civil Rights Act of 1964, Title VI of the Civil Rights Act of 1964, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution prohibit harassment and discrimination based on race, color, sex, national origin or religion.

In collaboration with the district, community advocacy groups, students and parents, the Departments of Justice and Education conducted an extensive investigation of the school district’s policies and practices with regard to student-on-student harassment and discipline. The departments gathered evidence indicating that the district meted out disproportionate discipline for the students involved in the November 2009 incident and that the district’s policies, procedures and trainings were not adequately addressing harassment against Somali-American students. The district and its superintendent took affirmative steps to address the harassment and disproportionate discipline of Somali-American students, and voluntarily entered into the settlement agreement.

“All students have a right to go to school without fearing harassment from their peers, and schools have a responsibility to ensure students can exercise that right. We will continue to use all of the tools in our law enforcement arsenal to ensure that all students can go to school in a safe learning environment,” said Thomas E. Perez, Assistant Attorney General for the Civil

Rights Division. “I applaud the school district for working with us to address this matter, and we hope this agreement reminds school officials elsewhere of their obligations under federal law.”

“If children aren’t safe, then children can’t learn. That’s why the Obama Administration is committed to ensuring all students in this country can attend school in an environment free from physical threats and discrimination,” said Russlynn Ali, Assistant Secretary for the Office for Civil Rights at the Department of Education. “As a country, we must make clear that harassment in our schools, in any form, will not be tolerated. Local officials are in the best position to stop harassment in its tracks and the Obama Administration will use every resource we have to help them.”

According to the agreement, the district will take all reasonable steps to ensure that all students enrolled in the district are not subject to harassment or discrimination on the basis of race, color or national origin, and to respond promptly and appropriately to all reports of harassment. To that end, the district has agreed to improve its policies and procedures concerning harassment and discipline as necessary to make them effectively protect students from racial or national origin-based harassment to specifically include, among other things: (1) issue an anti-harassment statement to all district students, parents and staff; (2) conduct training of all district faculty, staff and students on discrimination and harassment; (3) meet with high school Somali students to discuss their concerns about harassment; (4) establish a working group of district personnel, students and parents to make recommendations to the district regarding the effectiveness of the district’s anti-harassment program; (5) develop a district-wide monitoring program to assess the effectiveness of the district’s anti-harassment efforts; and (6) provide annual compliance reports to the departments for the next three years.

The enforcement of Title IV and Title VI are top priorities of the Justice Department’s Civil Rights Division. Additional information about the Civil Rights Division of the Justice Department is available on its website at www.justice.gov/crt. Enforcement of Title VI is also a top priority of Department of Education’s Office for Civil Rights. Additional information about the Department of Education’s Office for Civil Rights is available on its website at www2.ed.gov/about/offices/list/ocr/index.html.