

Southeastern Legal Foundation Sues Department of Education

ATLANTA, GA (April 23, 2024): [Southeastern Legal Foundation](#) (SLF) filed a [lawsuit](#) against the United States Department of Education to obtain records related to the Department’s refusal to hold a Chicago-area school district accountable for civil rights violations, including mandatory segregation. Nearly two years ago, SLF asked the Department to produce the records under the Freedom of Information Act (FOIA). After two years of being stonewalled, SLF was forced to sue.

The government—including our nation’s public schools—cannot treat people differently because of skin color. Unfortunately, that is exactly what the Evanston/Skokie School District 65 has done for years and continues to do to this day.

[District 65](#) promotes and reinforces a view of race essentialism that divides Americans into groups based solely on their skin color. It segregates staff by race during trainings and staff meetings, offers racially exclusive affinity groups to students, staff, and members of the community, implemented a discipline policy that directs staff to take race into account, and requires students and faculty to engage in “privilege walks,” where they are sorted and treated differently based solely on skin color.

In January 2021, after an 18-month investigation, the Department of Education issued a [formal finding](#) that District 65’s policies and procedures violated Title VI of the Civil Rights Act of 1964.

But days after President Biden took office that same month, his administration suddenly and inexplicably withdrew the Department’s findings. Congress didn’t amend the Civil Rights Act. The Department didn’t issue new regulations. The law had not changed. The only difference was who was living in the White House.

In response to the Department’s withdrawal—which allowed District 65 to continue its discriminatory policies, procedures, and programs—SLF filed a [lawsuit](#) on behalf of a brave teacher and asked a federal court to halt the District’s discriminatory practices as a violation of the Constitution and Civil Rights Act.

SLF also asked the Department of Education to produce all records related to, among other things, its inexplicable withdrawal of its findings which effectively allowed segregation to continue in District 65. After being stonewalled and ignored for nearly two years, SLF has now filed this [suit](#).

Executive Director [Kimberly Hermann](#) states, “The American people have a right to know what their government is doing and why the Biden Administration is allowing racial segregation to continue despite clearly violating the law. The Biden Administration’s withdrawal of findings is completely unprecedented. Not only did withdrawing the letter signal that it is okay to discriminate based on race in schools, but without more clarity about what happened to the letter, we will never know how to prevent something like this from happening again in the future.”