



## Summary

### Complaint of Racial Discrimination Against Laura Bush Middle School and Lubbock-Cooper ISD, December 12, 2022

Throughout the Lubbock, Texas area, Laura Bush Middle School is known for its frequent, consistent, and extreme discriminatory practices against its Black students. In fact, throughout the 2021-22 school year, Black children at the school were subjected to an environment of constant and near-daily bullying on the basis of race. Such bullying included the use of derogatory language and racial slurs including “monkey,” “retard,” “n\*\*\*\*r,” “bitch n\*\*\*\*r,” “porch monkey,” “go pick cotton” and other similar derogatory language. Other times, the Black children would be subjected to the sounds of cracking whips as they walked through the halls of the middle school due to the white students playing such sounds on their phones each time they encountered a Black student. The white students would also go beyond the sound of cracking whips by initiating the sounds of monkeys as the Black students walked by.

Often these incidents of racially-motivated bullying and harassment would manifest into physical threats and/or acts of violence against the Black students. In such situations, the white students would seek out the Black students after consistent racially-motivated bullying and either directly attack the Black students or attempt to goad them into a fight. During some of these events, the white students followed the Black students to their homes, into bathrooms, and/or their extracurricular activities. All such actions were clearly motivated by racial animus and involved the use of further racial slurs and derogatory language.

Despite clear evidence of racially-motivated bullying and violence, Laura Bush Middle School administrators only brought discipline against the Black students involved in fights. The most common form of discipline was placement within the Lubbock-Cooper ISD Disciplinary Alternative Educational Program (“DAEP”). For many of the Black students affected, it was their first time within the program or experiencing similar discipline. The harmful short- and long-term educational, health, economic, and social impacts of placement in a DAEP are well-documented,<sup>1</sup> including loss of instructional time; school avoidance and diminished educational engagement;<sup>2</sup> decreased academic achievement, exacerbation of mental health concerns;<sup>3</sup> and increased risk of substance abuse, dropout, and involvement with juvenile justice systems. As if these harmful impacts were not enough, upon arriving at DAEP, Black students continued forced to endure other students in DAEP hurling racial slurs on a daily basis.

Throughout this time, the Black students and their parents continually reported this racially hostile educational environment to Laura Bush Middle School administrators, and sought their help in creating a safe, welcoming, and inclusive environment for their children’s education. The reports consisted of emails, phone calls, and in-person communications with administrators. In fact, students were provided a QR code in order to quickly report bullying instances. As a result, almost each and every incident was immediately reported to school administrators, including Laura Bush Middle School Principal Kyle Hendrix and

Assistant Principal Lance Lewis. Often the administrator the parents interacted with the most was Asst. Principal Lewis.

Despite such frequent and consistent reports to administrators, there was no action taken to end the racially motivated bullying. In fact, Asst. Principal Lewis would make half-hearted comments about ongoing investigations that ultimately did not have a conclusion. Most egregiously, Asst. Principal Lewis, a white man, on several occasions used racial slurs and derogatory language towards the Black students in his attempts to minimize their experiences. Specifically, Asst. Principal Lewis directly asked one of the Black students if they “picked cotton” after the student reported that white students told him to pick cotton. On another occasion, Asst. Principal Lewis reportedly told a Black student that the school “already had to deal with these n\*\*\*\*r situations this year.” It was thus unsurprising that Laura Bush Middle School did not take racially motivated bullying and harassment at the school seriously and did nothing to stop it.

Ultimately, the failure of Lubbock-Cooper ISD administrators to intervene or respond to the culture of racism at Laura Bush Middle School led to an extremely vile and offensive campaign of racist bullying over social media near the end of the 2021-2022 school year. The campaign consisted of a social media page on Instagram called the “LBMS\_m0nkeys” which stood for “Laura Bush Middle School Monkeys.” In addition, Lubbock-Cooper ISD’s logo was used for the Instagram page. The “purpose” of the page stated “to send pics of monkeys,” meaning for the students at Laura Bush Middle School to send pictures of Black students to be posted on the page. The page accumulated numerous pictures of the Black students before students and families insisted that school administrators take action.

The undersigned students, parents, and civil rights organizations (collectively, the “Complainants”) respectfully submit this complaint of racial discrimination under Title VI of the Civil Rights Act of 1964 because Laura Bush Middle School and Lubbock-Cooper ISD have engaged in unlawful discrimination on the basis of race by (1) failing to prevent and respond appropriately to complaints of racial harassment, (2) failing to train its educators and administrators on preventing, identifying, investigating, and remediating racial harassment, and (3) engaging in discriminatory discipline practices. The Complainants seek accountability for the students and families whose lives have been irrevocably altered because of Lubbock-Cooper ISD’s discriminatory practices, in addition to appropriate remedial measures to ensure that no child is forced to endure a racist learning environment in Lubbock again.

Complainants request OCR to consider the following as part of any resolution of the complaint:

- Revise, as necessary, Lubbock-Cooper ISD’s anti-harassment, anti-discrimination, and anti-bullying policies to ensure they are reasonably designed to prevent, address, and respond to incidents of bullying, discrimination, and harassment.
- Ensure that Laura Bush Middle School’s code of conduct includes a clarifying statement that the prohibition on bullying and harassment specifically includes bullying on the basis of a student’s protected characteristics, including a student’s race, color, and/or national origin.
- Provide training to the district’s staff on Title VI and the district’s revised harassment policies and procedures.
- Designate at least one campus and/or district employee with responsibility to coordinate supportive measures for students who report incidents of racial harassment.
- Provide an effective and age-appropriate orientation program for all district students regarding the school’s anti-bullying/anti-harassment policies.

- Establish a student committee at Laura Bush Middle School to provide a forum for students to discuss matters concerning harassment and suggest measures for improving the effectiveness of the school's anti-harassment program.
  - Establish a working group of district personnel, community representatives, parents and students to make recommendations regarding the district's anti-harassment program.
  - Appoint an external evaluator to conduct an annual assessment of the educational climate at Laura Bush Middle School to assess the effectiveness of its anti-harassment program and to identify any additional measures necessary to ensure an educational environment free of racial discrimination, including harassment.
  - Effectively implement alternatives to exclusionary discipline placement, such as restorative practices, to eliminate harmful placements in DAEP that target Black students.
  - Train educators and administrators on appropriate school discipline practices, including training relating to investigating disciplinary complaints, combatting bias and discrimination in disciplinary determinations, identifying and relying on credible evidence, and ensuring disciplinary decisions are implemented consistent with the district's progressive discipline policies and Positive Behavioral Interventions and Supports (PBIS) programs.
  - Establish a process for reviewing claims of erroneous discipline unlawfully imposed on Black students, including expungement of findings from school and district records.
  - Publish annually on the district's website a written report summarizing the reports of racial bullying and harassment (with student identifying information redacted) and their disposition, in order to ensure transparency and accountability for the community.
  - Monitor the school's compliance with any Resolution Agreement.
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**Media contact:** Thomas Marshall III, M.Ed. ([thomas\\_marshall@idra.org](mailto:thomas_marshall@idra.org))

For more **information** about these complaints, contact Paige Duggins-Clay, J.D., at IDRA ([paige\\_duggins-clay@idra.org](mailto:paige_duggins-clay@idra.org))

If you are seeking **legal representation** in a discrimination matter, contact David Henderson at Ellwanger Law ([dhenderson@equalrights.law](mailto:dhenderson@equalrights.law))

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