



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS, REGION IV

61 FORSYTH ST., SOUTHWEST, SUITE 19T10  
ATLANTA, GA 30303-8927

REGION IV

ALABAMA  
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June 14, 2021

**Via Email Only**

Mr. Tim Forson  
Superintendent  
St. Johns County School District  
40 Orange Street  
St. Augustine, FL 32084  
Email: [tim.forson@stjohns.k12.fl.us](mailto:tim.forson@stjohns.k12.fl.us)

Re: OCR Complaint No. 04-21-1208

Dear Mr. Forson:

On March 29, 2021, the U.S. Department of Education, Office for Civil Rights (OCR), received a complaint filed against St. Johns County School District, alleging discrimination on the basis of sex.

OCR enforces Title IX of the Education Amendments of 1972, (Title IX), 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106. Title IX prohibits discrimination on the basis of sex in any education program or activity receiving Federal financial assistance. As a recipient of Federal financial assistance from the Department of Education, the district is subject to Title IX and OCR's jurisdiction. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

The Complainant alleged that the district's dress code targets female students based on the way it is written. The Complainant also said that in district elementary, middle and high schools, staff enforce dress code requirements differently for female and male students. The Complainant said that, for example, school staff issue dress code violations to female students for wearing shorts or wearing shorts that do not meet dress code length requirements, but not to male students.

In addition, the Complainant alleged that in enforcing the dress code, staff publicly shame and humiliate female students in front of their peers. As examples, the Complainant said that staff send female students out of the classroom or stop them in the hallways or other common areas and instruct them to go to the office, where they are then held until they change clothes, their parents bring them another set of clothes, or a principal sends the students back to class. In addition, the Complainant said staff subject female students to dress code sweeps, in which female students are lined up in the hallways while staff determine whether they are in violation of the dress code. As an example, the Complainant described a March 2021 incident at Bartram Trail High School. The Complainant said staff lined up ninth-grade, female students and, if they had on tank tops and a

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by fostering educational excellence and ensuring equal access.*

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hoodie, told them to remove their hoodie, which then meant they only had on a tank top, which is a dress code violation. The Complainant also said that staff told the female students to hold their hands above their heads to see if their shirt showed their belly.

Also, the Complainant alleged that there is a problem regarding “Dress for Success” rules and grading in Career Academy programs at district high schools. The Complainant provided a link to a Bartram Trail High School Dress for Success webpage, which lists dress requirements that female students must meet to receive a grade of “A.” The list also includes several items that female students should not wear and states that they will receive a zero if they wear one of the items. The webpage lists dress requirements that male students must meet to get an “A” and states that if they meet all other requirements but do not wear a tie, they will receive a “B.” In addition, the Complainant alleged that Bartram Trail High School altered the annual yearbook photos of female students whose attire school staff deemed to be a dress code violation, but it does not appear that school staff altered the photos of male students. The Complainant stated further that some of the female students were mocked about their yearbook photos.

OCR will investigate the following legal issue: whether the district subjected female students to discrimination on the basis of sex in connection with enforcing dress code requirements, in violation of Title IX and its implementing regulation at 34 C.F.R. § 106.31.

Please note that opening the complaint for investigation in no way implies that OCR has made a determination on the merits of the complaint. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the Complainant, the district, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and fully responds to the allegations in accordance with the provisions of OCR’s *Case Processing Manual*, available at <http://www.ed.gov/ocr/docs/ocrspm.html>. OCR would also like to make you aware that individuals who file complaints with OCR may have the right to file a private suit in Federal court whether or not OCR finds a violation.

OCR intends to conduct a prompt investigation of this complaint. Please visit our website at <http://www.ed.gov/ocr/complaints-how.html> for information about OCR’s Complaint Resolution Procedures.

The regulation implementing Title VI of the Civil Rights Act of 1964 at 34 C.F.R. § 100.6(b) and (c) requires that each recipient of Federal financial assistance from the Department of Education make available to OCR information that may be pertinent to reach a compliance determination. This requirement is incorporated into the Title IX regulation at 34 C.F.R. § 106.81. Pursuant to 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii) of the regulation implementing the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, OCR may review personally identifiable records without regard to considerations of privacy or confidentiality.

Accordingly, OCR is requesting that you forward the information contained in the attached request for data within fifteen (15) calendar days of the date of this letter. OCR may need to request additional information and interview pertinent personnel. If an on-site visit is determined to be necessary, you will be contacted to schedule a mutually convenient time for the visit.

Please notify OCR of the name, address, and telephone number of the person who will serve as the district's contact person during the resolution of this complaint. We would like to talk with this person as soon as possible regarding the requested data.

If the district expresses an interest in resolving the complaint and OCR determines that resolution of the complaint prior to the completion of the investigation is appropriate, OCR may attempt to negotiate an agreement with the district pursuant to Section 302 of the *Case Processing Manual*.

Please be advised that the district may not harass, coerce, intimidate, or discriminate against an individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens the Complainant may file another complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

We look forward to working with you during the resolution of this complaint. If you have any questions, please contact Senior Attorney Valerie L. Acoff, the OCR attorney assigned to this complaint, at 404-974-9489 or [valerie.acoff@ed.gov](mailto:valerie.acoff@ed.gov).

Sincerely,

A handwritten signature in cursive script that reads "Michelle Vaughan".

Michelle Vaughan  
Compliance Team Leader

cc: Gina Fallica ([gina.fallica@stjohns.k12.fl.us](mailto:gina.fallica@stjohns.k12.fl.us))  
Executive Assistant to the Superintendent