

ACLU: Files complaint alleging pervasive discrimination in Oshkosh Area School District

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MILWAUKEE — The ACLU of Wisconsin filed a complaint earlier this week with the U.S. Department of Education's Office of Civil Rights asking them to investigate the Oshkosh Area School District after Black middle school students were expelled when they were racially harassed at school.

The complaint alleges that two Black siblings, seventh-grader TreVon Swan, and his sister, six-grader Karizmah Keys, were subject to persistent racial harassment while attending Oshkosh Area School District schools and that the District and school administrators failed to address the racial harassment they were subjected to or investigate the incidents fully.

TreVon says he has experienced racially disparate punishment at Oshkosh Area School District schools since he was in Kindergarten, sometimes for minor things such as putting his head on his desk. His sister, Karizmah, has also experienced persistent racial harassment, and was targeted by a student who she says harassed her daily, and called her the n-word.

When the students' mother brought it to the attention of school officials, they did not investigate the allegations and instead ignored the students' claims.

Things escalated last year at a Halloween dance when the same white student who had racially harassed Karizmah instigated a conflict with a group of Black students by throwing water on them and calling them racial slurs, something witnessed by TreVon.

The other Black students, including Karizmah, voiced their frustration at the incident, as TreVon was being punished, but the student who harassed them was not. Seven Black students were ultimately referred for expulsion as a result of the events at the dance.

School administrators also called the police and referred juvenile charges of disorderly conduct against TreVon and Karizmah, as well as other Black students. The white student was not punished by school administrators, nor were charges referred to the police for the student.

The complaint alleges that the District did not investigate the racial harassment that TreVon and Karizmah endured. Additionally, at TreVon's expulsion hearing, the school board official overseeing the hearing said that the racial harassment that occurred was 'not relevant' to TreVon's expulsion.

"The Oshkosh Area School District has an obligation to thoroughly investigate incidents of racial harassment occurring at its schools, but instead, the District has chosen to expel the Black students who are being subjected to harassment," said Attorney Elisabeth Lambert, Equal Justice Works Fellow with the ACLU of Wisconsin. "We hope that the U.S. Department of Education's Office of Civil Rights will investigate the incidents of racial harassment and force the District to address the harm that has been caused by creating a plan that will prevent racial harassment from occurring at its school. The District's duty is to provide a school environment where all students can safely learn and thrive, regardless of their race."