



OFFICE OF CIVIL RIGHTS AND ADJUDICATION

WASHINGTON, D.C. 20460

November 19, 2025

Dr. Nikolai P. Vitti, General Superintendent
Detroit Public Schools Community District
Fisher Building, 14th Floor
3011 West Grand Blvd.,
Detroit MI 48202
via email: nikolai.vitti@detroitk12.org

Re: Referral of EPA Complaint No. 01D-25-R5

Dear General Superintendent Vitti:

As you are aware, the U.S. Environmental Protection Agency (EPA), Office of Civil Rights and Adjudication (OCRA), External Civil Rights Division (ECRD) received the above-referenced complaint against the Detroit Public Schools Community District (DPSCD). The complaint alleges employment discrimination by DPSCD on the basis of disability, in violation of Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, and EPA's nondiscrimination regulation, at 40 C.F.R. Part 7.

This letter serves to notify you that ECRD is referring this matter to the U.S. Equal Employment Opportunity Commission (EEOC), Detroit Field Office for appropriate action. Pursuant to EPA's nondiscrimination regulation, ECRD conducts a jurisdictional review of administrative complaints to determine acceptance, rejection, or referral to the appropriate Federal agency. *See* 40 C.F.R. § 7.120(d)(1).

To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulation. First, a complainant must submit a complaint in writing. *See* 40 C.F.R. § 7.120(b)(1).

Second, the complainant must describe an alleged discriminatory act that, if true, may violate EPA's nondiscrimination regulation. An alleged discriminatory act is one based on race, color, national origin, sex, age, or disability. *Id.*

Third, the complainant must file the complaint within 180 days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2). Fourth, the entity that the complainant identifies as allegedly

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engaging in discrimination must be an applicant for, or recipient of, EPA financial assistance. See 40 C.F.R. § 7.15.

After careful consideration, ECRD has determined that the complaint meets the four jurisdictional factors. However, for employment complaints alleging discrimination on the basis of disability, ECRD also must follow procedures consistent with the employment coordination regulations at 28 C.F.R. Part 37 and 29 C.F.R. Part 1640.

Pursuant to those provisions, ECRD must refer the complaint to the Equal Employment Opportunity Commission (EEOC) and defer ECRD's processing of the complaint pending resolution by the EEOC. See 28 CFR 37.10(c), 29 CFR 1640.6(c)(4)(i). ECRD has enclosed a copy of its referral letter to the EEOC.¹

The complaint is considered dual-filed under Section 504 and Title I of the Americans with Disabilities Act. ECRD adds that generally a federal agency adopts a decision issued by another federal agency regarding the same allegation; however, ECRD may evaluate whether it needs to take any additional action as a result of the EEOC's finding.²

Finally, EPA's regulation prohibits applicants, recipients, and other persons from intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they have either taken action or participated in an action to secure rights protected by the civil rights requirements that EPA enforces. See 40 C.F.R. § 7.100. Any individual alleging such harassment or intimidation may file a complaint with ECRD.

If you have any questions about this letter, please contact Case Manager Bianca Garcia at Garcia.bianca@epa.gov or Case Manager Ashley Acosta-Fox at AcostaFox.Ashley@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Juan Carlos Hunt". The signature is written in a cursive, flowing style.

JuanCarlos M. Hunt, Director
U.S. EPA, Office of Civil Rights and Adjudication

Enclosure: Referral of EPA Complaint No. 01D-25-R5

cc: Cheryl Newton, Deputy Regional Administrator/Deputy Civil Rights Official
Robert Kaplan, Regional Counsel
U.S. EPA, Region 5

¹ EEOC's Detroit Field Office may contact you; if you wish to contact it, go to <https://www.eeoc.gov/field-office/detroit/location>

² See Case Resolution Manual, Section 1.7, pp. 13-14, https://www.epa.gov/system/files/documents/2025-01/case-resolution-manual-update_final_jan-2025.pdf