

United States Court of Appeals
For the Eighth Circuit

No. 15-1403

Scott Bollman; Janelle Bollman, as parents and next friends of L.B., a minor

Plaintiffs - Appellants

v.

Greenwood School District

Defendant - Appellee

John Ciesla, Superintendent of Schools, Greenwood School District; Dr. Kaye Johnson Headley, former Superintendent of Schools, Greenwood School District; Jerry Cecil, Assistant Superintendent/Equity Coordinator/Athletic Director; Jerry Efur, High School Principal; Todd Hales, member of the Board of Education of the Greenwood School District; Mary Ann Sandifer, member of the Board of Education of the Greenwood School District; Paul McCollom, member of the Board of Education of the Greenwood School District; Greg Halsey, member of the Board of Education of the Greenwood School District; Jeff Turner, member of the Board of Education of the Greenwood School District; Clifton James, member of the Board of Education of the Greenwood School District; Rozanne Sterling, member of the Board of Education of the Greenwood School District, in their individual and official capacities

Defendants

Appeal from United States District Court
for the Western District of Arkansas - Ft. Smith

Submitted: December 1, 2015
Filed: December 23, 2015
[Unpublished]

Before SMITH, BYE, and SHEPHERD, Circuit Judges.

PER CURIAM.

Scott and Janelle Bollman, parents and next friends of L.B., a minor, appeal the district court's¹ adverse grant of summary judgment in their action under Title VI of the Civil Rights Act of 1964. See 42 U.S.C. § 2000d (no person in United States shall, on ground of color, race, or national origin, be excluded from participating in, denied benefits of, or discriminated against under any federally funded program or activity). Based on a de novo review of the record, see Mumid v. Abraham Lincoln High Sch., 618 F.3d 789, 793 (8th Cir. 2010), we find that even assuming the complained-of conduct amounted to severe, pervasive, and objectively offensive harassment of L.B. based on his race and national origin, there were no jury issues on whether Greenwood School District was deliberately indifferent to any such harassment of which there was actual notice. See Zeno v. Pine Plains Cent. Sch. Dist., 702 F.3d 655, 666 (2d Cir. 2012) (school district's actions are deliberately indifferent only if they were clearly unreasonable based on known circumstances). The judgment of the district court is affirmed.

¹The Honorable P.K. Holmes, III, Chief Judge, United States District Court for the Western District of Arkansas.