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# Office for Civil Rights Discrimination Complaint Form: Submission #736511

## 1. Enter information about yourself

First Name:

Last Name:

Address:

City:

State:

Zip Code:

Best Time to Call You: Day

Primary Phone Number:

Alternative Phone Number: {Empty}

Your Email Address:

## 2. Who else can we call if we cannot reach you?

Contact's Name: {Empty}

Daytime Phone Number: {Empty}

Relationship to you: {Empty}

## 3. Who was discriminated against?

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Yourself or Someone else Someone else?

If someone other than yourself please include:

Injured Person's Name: (b)(6); (b)(7)(A); (b)(7)(C)

Daytime Phone Number: {Empty}

Evening Phone Number: {Empty}

Relationship to You

(eg. son or daughter) daughter

Injured Person's Address: (b)(6); (b)(7)(A); (b)(7)(C)

City: (b)(6); (b)(7)(A); (b)(7)(C)

State: (b)(6); (b)(7)(A); (b)(7)(C)

Zip Code: (b)(6); (b)(7)(A);

#### 4. What institution discriminated?

Institution Name: (b)(6); (b)(7)(A); (b)(7)(C) School District

Address: (b)(6); (b)(7)(A); (b)(7)(C)

City: (b)(6); (b)(7)(A); (b)(7)(C)

State: (b)(6); (b)(7)(A); (b)(7)(C)

Zip Code: (b)(6); (b)(7)(A);

School or department involved: (b)(6); (b)(7)(A); (b)(7)(C) Class - (b)(6); (b)(7)(A); (b)(7)(C)

#### 5. Have you tried to resolve the complaint through the institution's grievance process, due process hearing, or with another agency?

Have you tried to resolve the complaint? Yes

Agency Name: Mike Harrington - superintendent & (b)(6); (b)(7)(A); (b)(7)(C)

Date Filed  
(MM/DD/YYYY): (b)(6); (b)(7)(A); (b)(7)(C) 00:00

If yes, what is the current status of the complaint? It is imperative that we find a solution to this problem as soon as possible. Despite my best efforts to resolve the issue with the school administration, it has only gotten worse.

We need to take immediate action to address this situation before it causes further damage.

## 6. Describe the discrimination

OCR enforces regulations that prohibit discrimination on the basis of race, color, national origin; sex; disability; and/or age.

(You may select more than one.)

On what basis were you discriminated against? race or color, national origin, age, retaliation because you filed a complaint or asserted your rights

In the space provided below please describe each discriminatory action separately. For each action, you need to provide the following information: date(s) the discriminatory action occurred - (b)(6); (b)(7)(A); (b)(7)(C)

- name(s) of individual(s) who discriminated - (b)(6); (b)(7)(A); (b)(7)(C)
- what happened - the teacher is promoting white supremacy with her Israeli agenda and has blatant disregard for (b)(6); (b)(7)(A); (b)(7)(C) The class environment is unsafe, and inhumane and creates a sense of isolation for (b)(6); (b)(7)(A); (b)(7)(C) children. The agenda that the teacher is promoting is one sided and the environment in the class is unsafe.
- witnesses, (if any); see attached presentation and the teacher retaliated after the complaint was made to the school and stated that (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A);

• why you believe the discrimination was because my daughter is (b)(6); (b)(7)(A); and (b)(6); (b)(7)(A); (b)(7)(C) I am worried about my daughter, who is young, being shut out by this teacher in a bullying way.

race, sex, disability, age, or whatever basis you indicated above or

why you believe the action was retaliatory - the teacher came into the class stating that (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) She went on to pick on other students and antagonized my daughter. My daughter has been very upset, she's been crying, and she is scared. (b)(6); (b)(7)(A);

(b)(6); (b)(7)(A); only called upon other students and did not call on (b)(6); (b)(7)(A); (b)(7)(C) to hear their opinions about her one-sided agenda.

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Do you have written information that you think will help us understand your complaint?

yes or no Yes

## 7. Your complaint must be filed within 180 days of the discriminatory action

The laws that we enforce require that complaints be filed with our office within 180 days of the alleged discriminatory event. If any of the alleged discriminatory actions took place more than 180 days before the postmark or receipt date of this complaint, you may request a waiver of the 180-day limit. When did the last act of discrimination occur?

### When did the last act of discrimination occur?

Enter the date:  - 00:00

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

### Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

yes or no No

Reason for not filing complaint before 180 days: {Empty}

## 8. What would you like the institution to do as a result of your complaint?

What remedy are you seeking? I have made many attempts to resolve this issue with the school superintendent and school principal, but the issue has only gotten worse. I need the teacher to stop discriminating against my daughter because she's  and her age. The teacher is using her power to antagonize her, and the class environment during  presentation is unsafe. My daughter has been crying since the teacher started pushing her one-sided story about Israel. This has created a culture of mistrust and I'm worried about my daughter and her

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wellbeing. This is a very serious matter and must be handled with great moral conscience. I want zero tolerance for insensitive or discriminatory content in classrooms, which often leads to harassment and bullying.

The school lessons have become insensitive and biased, and the school environment has become damaging, unwelcoming, and unsafe for Muslim students, (b)(6); (b)(7)(A); (b)(7)(C) The Muslim students are already impacted by the spike in Islamophobia around the county, country, and on a global level.

## **9. Option to Participate in OCR's Early Mediation Process**

I am interested in participating in early mediation: No



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

26 FEDERAL PLAZA, SUITE 31 – 100  
NEW YORK, NEW YORK 10278

REGION 2

NEW JERSEY  
NEW YORK  
PUERTO RICO  
U.S. VIRGIN ISLANDS

August 26, 2024

Sent by email only to SGoodstadt@ingermansmith.com

Michael Harrington  
Superintendent  
Bellmore-Merrick Central High School District  
1260 Meadowbrook Road  
North Merrick, New York 11566

Re: Case Number 02-24-1099 – Bellmore-Merrick Central High School District

Dear Superintendent Harrington:

On November 22, 2023, the U.S. Department of Education, Office for Civil Rights (OCR) received a complaint filed against the Bellmore-Merrick Central High School District. The Complainant alleged that the District discriminated against her daughter (the Student) on the bases of color (Allegation 1) and national origin (Allegation 2) by not responding promptly or effectively to incidents of harassment at the (b)(6); (b)(7)(A); (b)(7)(C) (the School) in (b)(6); (b)(7)(A); (b)(7)(C).

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), as amended, 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulations at 34 C.F.R. Part 100, which prohibit discrimination on the bases of race, color, and national origin (including shared ancestry) in programs and activities receiving federal financial assistance from the Department. As a recipient of federal financial assistance from the Department, the District is subject to Title VI and its implementing regulations.

OCR will investigate the following issue: whether the District responded in a manner consistent with the requirements of Title VI to alleged harassment of the Student on the bases of color and national origin (b)(6); (b)(7)(A); (b)(7)(C).

Please understand that opening this issue for investigation under Title VI does not mean that OCR has made a decision about the merits. During the investigation, OCR is neutral; OCR will collect and analyze the relevant evidence from the complainant, the recipient, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient as required by OCR's Case Processing Manual (CPM) (July 18, 2022). You may find additional information in OCR's Complaint Processing Procedures. 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 may close this case prior to making formal findings of compliance or non-compliance, provided that the circumstances or information gathered establishes an administrative or other

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

basis for resolution in accordance with the CPM. For example, under Section 201(b) of OCR's CPM, if both parties are interested and OCR determines that the individual allegations are appropriate for mediation, the parties may voluntarily resolve these complaint allegations through mediation that OCR will facilitate. Note that in such a case, OCR does not monitor or enforce the agreement reached between the parties.

When appropriate, a complaint may be resolved before the conclusion of an investigation after the recipient expresses an interest to OCR to resolve the complaint. In such cases, OCR obtains a resolution agreement signed by the recipient. This agreement must be aligned with the complaint allegations or the information obtained during the investigation, and it must be consistent with applicable regulations.

To reach an efficient and timely resolution of this matter, OCR is providing an opportunity for the District to present its response to the complaint's allegations and to submit supporting documentation. **Within 20 days of the date of this letter**, please provide to OCR the information listed in the attached data request. The regulations implementing Title VI, at 34 C.F.R. §§ 100.6(b) and (c), require that a recipient of federal financial assistance make available to OCR information that may be necessary for it to determine whether a recipient is in compliance with the regulations it enforces. Pursuant to 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii), of the regulations implementing the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, OCR may review personally identifiable records without regard to considerations of privacy or confidentiality. OCR will take all proper precautions to protect the identity of any individuals named in the documents.

Please be advised that the District must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint against the District with OCR.

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

If you have any questions regarding this matter, please contact Sandy Araj, Compliance Team Attorney, at (646) 428-3879 or Sandy.Araj@ed.gov; or William Poorten, Senior Compliance Team Attorney, at (646) 428-3829 or William.Poorten@ed.gov.

Sincerely,

(b)(6); (b)(7)(A); (b)(7)(C)

Eboné Luciano  
Compliance Team Leader

Attachment

**Data Request**

Bellmore-Merrick Central High School District (the District)

(b)(6); (b)(7)(A); (b)(7)(C) (the School)

(b)(6); (b)(7)(A); (the Complainant)

(b)(6); (b)(7)(A); (the Student)

OCR requests that this information reach our office within **20 days from the date of the attached letter, which is September 15, 2024**. If any of the required items are available to the public on the Internet, you may provide the website address. You may send documents by any of the following means:

SharePoint: OCR may create an external sharing site through a browser-based portal in which the requested documents and information may be uploaded. Please contact William Poorten and Sandy Araj to receive online portal information to upload data.

Email: Sandy.Araj@ed.gov; William.Poorten@ed.gov

Fax: (646) 428-3843

Please do **not** provide the information via an electronic cloud format such as Google Docs. Because email is not reliably secure, please do not email any document that contains personally identifiable or private information without first encrypting this information. You may upload this information using the SharePoint option described above.

Please do not include Social Security numbers in your responses. If any responsive documents or data contain Social Security numbers, please redact them before sending OCR the information.

**Preservation of requested and relevant data and documents:** OCR may request supplemental data and documents that are relevant to the allegation under investigation. To ensure that OCR can assess the District's compliance with the statutory and regulatory obligations at issue in this investigation, please ensure that District employees preserve the data and documents requested below for the time frame specified in these requests and going forward until OCR closes this case. Please also ensure that District employees preserve other data and documents that are relevant to the allegation(s) under investigation until OCR closes this case. The regulation implementing Title VI, at 34 C.F.R. §§ 100.6(b) and (c), requires that a recipient of federal financial assistance make available to OCR information that may be pertinent to reach a compliance determination.

**RESPONSE DUE: September 15, 2024**

Please provide the following information for academic year (b)(6); (b)(7)(A);  
(b)(7)(C) unless otherwise indicated, or indicate in writing if any of the requested items do not exist.

1. Provide a narrative response to the issues OCR is investigating and a copy of any documents or data relied upon in the narrative or supporting the facts stated in the narrative.
2. Indicate if the issues raised in Case Number 02-24-1099 are pending elsewhere. If so, please provide a copy of the complaint filed and indicate its status. If it is not possible to provide a copy of the complaint, please state the allegations raised in the other complaint and the forum in which the complaint was filed (e.g., another federal, state, or local civil rights enforcement agency, through the District's internal grievance procedures, or in state or federal court).
3. Copies of the District's and School's policies and procedures, and/or a description of the District's and School's practices, governing the investigation of complaints or incidents of harassment of and other discrimination against students on the bases of color and national origin/ethnicity, including shared ancestry. Provide a detailed description of the complaint process, including each level of the process, the length of the process, and the types of records maintained. Also provide the name(s) and job title(s) of District and School staff responsible for handling complaints of discrimination, including harassment, on the basis of color, national origin/ethnicity, including shared ancestry, at each level of the process.
4. Explain how the District informs students and employees of the policies and procedures set forth in Item 3 above. Submit copies of all materials disseminated or links to the District's website. Also provide the name(s) and job title(s) of the individuals responsible for implementing the policies and procedures.
5. Copies of the District's and School's policies and procedures, and/or a description of the District's and School's practices, governing:
  - a. disciplinary or corrective actions that may be taken to address harassment of and other discrimination against students on the bases of color and national origin/ethnicity, including shared ancestry; and
  - b. the provision of supports and remedies to students, employees, and other individuals found to have been discriminated against/harassed on the bases of color and national origin/ethnicity, including shared ancestry.
6. Copies and/or descriptions of all formal and informal oral and written reports and complaints of harassment and other discrimination, including reports and complaints filed by or on behalf of the Student, based on color and/or actual or perceived national origin/ethnicity, including shared ancestry at the School. For each report/complaint/incident, please provide:
  - a. the name(s) and job title(s) of the person(s) to whom the report/complaint was made, and the date the report/complaint was made;
  - b. the name and relation to the District of the person making the report/complaint (e.g., student, faculty members, parent/guardian, counsel, member of the public);

- c. a detailed description of the report/complaint, including the name(s) of the alleged target(s) of discrimination/harassment and the alleged discriminators/harassers if not evident from the copy of the report/complaint;
  - d. a detailed description of the grievance procedures or other complaint processing procedures employed to resolve the report/complaint;
  - e. the length of the investigation and complaint resolution process;
  - f. the name, color, national origin, ancestry, and/or ethnicity of each student, employee, or other individual involved in the alleged incident(s) of discrimination/harassment;
  - g. the name(s) and relation to the District of any individual(s) who witnessed the alleged incident(s), including any District students, employees, or others;
  - h. the name(s) and relationship to the District of any witnesses interviewed by the District;
  - i. the name(s) and job title(s) of the individual(s) involved in the response to, investigation of, and resolution of the report/complaint;
  - j. all actions the District has taken in response to the report/complaint/concerns raised, including corrective action taken, disciplinary sanctions imposed, supportive services and remedies offered and/or provided to individuals (e.g., counseling, safety measures); and/or School or District-wide remedies;
  - k. the final outcome of any investigation of the report/complaint, including copies of any incident/investigative reports, final determination, and any appeals;
  - l. if the District did not investigate any particular report/complaint, the reason(s) for not investigating, and the name(s) and job title(s) of the person(s) who made the decision;
  - m. any notice of the investigative findings provided to the complainant and/or other notice regarding the report/complaint, including notice of any outcomes on appeal; and
  - n. the complete case file for the report/complaint identified, including internal emails or other correspondence, internal and external memoranda, incident/investigative reports, video and audio recordings, witness statements, logs, forms, interview notes, notes regarding remedies provided, hearing transcripts, meeting minutes, and notes generated.
7. State whether the District conducts focus groups, other meetings, or trainings, and/or holds informational sessions with students and/or staff regarding students' rights under Title VI, how to report possible violations of Title VI, and/or the District's obligation to respond to Title VI complaints. If so, provide the dates of such events, a description of the attendees, and any materials presented and/or distributed.
  8. A detailed description of any training regarding discrimination, including harassment, based on color and national origin/ethnicity, including shared ancestry, that the District provided to District staff responsible for responding to such complaints. For each such training provide the date(s) it was delivered, a description of the training, a list of the names and job titles of the individuals who attended the training, and copies of any materials distributed at the training.
  9. The name, job title, address, telephone number, fax number, and email address of the District's designated contact person for this complaint.
  10. Any other information the District believes will assist OCR in this investigation.