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# Office for Civil Rights Discrimination Complaint Form: Submission #738083

## 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:

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

Evening Phone Number (b)(6); (b)(7)(A); (b)(7)(C)

Relationship to You  
(eg. son or daughter) (b)(6); (b)(7)(A); (b)(7)(C)

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); (b)(7)(C)

#### 4. What institution discriminated?

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

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

City: Chicago

State: Illinois

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

School or department involved: {Empty}

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

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Have you tried to resolve the complaint? Yes

Agency Name: Principal and CPS

Date Filed

(MM/DD/YYYY):

If yes, what is the current status of the complaint? Principal did not respond and CPS did not respond

## 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? national origin

In the space provided below please describe each discriminatory action separately. For each action, you need to provide the following information:  swastika in bathroom

school supported and CPS supported walk-out calling for a ceasefire. Rally in school lobby calling for "free Palestine". Accusing Israel of genocide in Gaza and calling for the destruction of the State of Israel. My  felt fear, intimidation, harassment, bullying and exclusion because of this rally in her school lobby and the way in which  and CPS supported this walkout.  Chaperons were provided from school staff for kids walking out and kids had no consequences for leaving school. Additionally,   while listening to chants about "freeing Palestine" and down with Israel, making her feel unsafe and clearly impacting her ability to   another swastika in the bathroom

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

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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:

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? CPS and  must end support for biased and one-dimensional activism, and must provide a learning environment that is not hostile to Jewish and Israeli students. I would like the school to be investigated.

## 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**  
230 SOUTH DEARBORN ST., 37<sup>TH</sup> FLOOR  
CHICAGO, IL 60604

**REGION V**  
ILLINOIS  
INDIANA  
IOWA  
MINNESOTA  
NORTH DAKOTA  
WISCONSIN

February 20, 2024

Pedro Martinez  
Chief Executive Officer  
Chicago Public Schools District 299  
Sent via electronic mail only to [ceo-martinez@cps.edu](mailto:ceo-martinez@cps.edu)

Re: OCR Docket #05-24-1261

Dear Mr. Martinez:

On February 1, 2024, the U.S. Department of Education, Office for Civil Rights (OCR), received the above-referenced complaint filed against the Chicago Public Schools District 299 (District). The complaint alleged that the District discriminated on the basis of national origin (shared Jewish ancestry) by failing to respond to incidents of harassment of students and staff in the District during (b)(6); (b)(7)(A).

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d-2000d-7, and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination based on race, color, or national origin, including shared ancestry, in any program or activity operated by a recipient of federal financial assistance from the Department. As a recipient of federal financial assistance from the Department, the District is subject to these laws. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

OCR will investigate the following issue:

- Whether the District responded to alleged harassment of students and staff based on national origin (shared Jewish ancestry) in a manner consistent with the requirements of Title VI.

OCR has determined that it will investigate the complaint. Please understand that opening an investigation does not mean that OCR has made a decision about the complaint. During the investigation, OCR is neutral; OCR will collect and analyze the evidence it needs in order to make a decision about the complaint.

OCR offers, when appropriate, a mediation process to facilitate the voluntary resolution of complaints by providing an early opportunity for the parties involved to resolve the allegation. Some information about the mediation process is in the enclosure to this letter.

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

In addition, when appropriate, a complaint may be resolved when, prior to the point when OCR issues a final determination, the recipient expresses an interest in resolving the complaint. In such cases, a resolution agreement signed by the recipient and submitted to OCR must address all of the allegations that OCR determines are appropriate to resolve before the conclusion of an investigation. Information about this kind of resolution is in the enclosure to this letter.

Please read the enclosed document, which includes information about:

- OCR's complaint processing procedures;
- Regulatory prohibitions against retaliation and intimidation of persons who file complaints with OCR or participate in an OCR investigation; and
- Application of the Freedom of Information Act and the Privacy Act to OCR investigations.

OCR intends to conduct a prompt investigation of this complaint. 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 a compliance determination. 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 (FERPA), 20 U.S.C. § 1232g, OCR may review personally identifiable records without regard to considerations of privacy or confidentiality.

OCR may request supplemental data and documents that are relevant to the allegation(s) under investigation. To ensure that OCR can assess the recipient's compliance with the statutory and regulatory obligations at issue in this investigation, please ensure that recipient employees preserve the data and documents requested below for any timeframe specified in these requests and going forward until OCR closes this case. Please also ensure that recipient employees preserve other data and documents that are relevant to the allegation(s) under investigation until OCR closes this case.

Accordingly, please provide the following information to us within twenty-one (21) calendar days. Wherever possible, please provide the requested information in electronic format. If responsive data are available through the Internet, please provide the link to the data. Please do not provide OCR documentation or electronic information containing social security numbers (SSN); if SSN appear on a document or file that is otherwise responsive to OCR's request, please redact the SSN before producing to OCR. Further, it would be helpful if the pages in your response are numbered.

1. A detailed narrative response to the issue opened for investigation.
2. The name, title, and contact information of the District's:
  - a. Contact person for this complaint;
  - b. Person(s) authorized to resolve this complaint;
  - c. Person(s) responsible for responding to Title VI complaints; and
  - d. Person(s) responsible for handling complaints of harassment and/or discrimination on the basis of national origin, including shared ancestry, at each level of the process.

3. The name, title, and contact information for the following staff at (b)(6); (b)(7)(A); (b)(7)(C)  
(b)(6); (b)(7)(A); (b)(7)(C) (hereinafter “**the Schools**”):
- a. Person(s) authorized to resolve this complaint;
  - b. Person(s) responsible for responding to Title VI complaints; and
  - c. Person(s) responsible for handling complaints of harassment and/or discrimination on the basis of national origin, including shared ancestry, at each level of the process.
4. A copy of the District's policies prohibiting discrimination and/or harassment based on national origin (including shared ancestry) in effect for the 2022-2023 and 2023-2024 school years. State how the District makes these policies available to District students, parents/guardians, staff, and others, including where such policies are published, if applicable.
5. A copy of the District’s policies and procedures and a description of the District’s practices governing the investigation of complaints of harassment and/or discrimination on the basis of national origin, including shared ancestry. Include a detailed description of the complaint process, including each level of the process, the length of the process, and the types of records maintained. Please clarify which District offices respond to and investigate complaints of national origin discrimination or harassment filed by or on behalf of students, and which District offices respond to and investigate complaints of national discrimination or harassment filed by or on behalf of District staff, contractors, and third parties.
6. If not provided in response to a request above, please provide the policies and procedures from the District’s Office of Student Protections (OSP) governing the investigation of reports/complaints of harassment and/or discrimination on the basis of national origin, including shared ancestry. Please include a detailed description of how OSP decides whether OSP responds to the report/complaint or delegates that responsibility to a District school or other District entity, and how OSP ensures compliance with Title VI and oversees investigations when it delegates such responsibility.
7. If not provided in response to a request above, please provide the policies and procedures from the District’s Equal Opportunity Compliance Office (EOCO) governing the investigation of reports/complaints of harassment and/or discrimination on the basis of national origin, including shared ancestry. Please include a detailed description of how EOCO decides whether EOCO responds to the report/complaint or delegates that responsibility to a District school or other District entity, and how EOCO ensures compliance with Title VI and oversees investigations when it delegates such responsibility.
8. All formal and informal reports/complaints, including records of verbal reports/complaints, regarding the following during the 2023-2024 school year:
- a. Student walkout(s) that took place at the Schools on or around (b)(6); (b)(7)(A); (b)(7)(C)
  - b. The appearance of swastikas and any other national origin-based graffiti in the Schools, including but not limited to graffiti or other markings in the (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6) bathrooms in or around (b)(6); (b)(7)(A); and on lockers in (b)(6); (b)(7)(A); (b)(7)(C) School; and

- c. The appearance of any other antisemitic symbols, imagery, or messages at the Schools.
9. A copy of all formal and informal reports/complaints, and narrative descriptions of verbal reports/complaints, concerning alleged harassment and/or discrimination based on national origin, including shared ancestry, submitted by or on behalf of the Schools' students or staff during the 2022-2023 and/or 2023-2024 academic years.
  10. For each report/complaint in response to Items 8 and 9 please provide the following:
    - a. the name(s) and title(s) of the individual(s) to whom the complaint/report was made, the date of the report/complaint, and the date of the incident;
    - b. a detailed description of the complaint processing procedures employed to resolve the report/complaint, including which District or School office handled each step of the investigative process;
    - c. the length of the investigative process;
    - d. the name(s) and title(s) of the individual(s) involved in the handling of the report/complaint;
    - e. all actions the District or School took in response to the report/complaint, including whether there was police involvement;
    - f. the District's or School's final determination regarding the report/complaint;
    - g. any corrective action taken, including discipline and/or supportive measures; and
    - h. any notice of the findings provided to the complainant.
  11. All documentation related to any and/or all complaints/reports identified in response to Items 8 and 9, including but not limited to emails and other forms of correspondence, internal and external memoranda, investigative reports, witness statements, logs, forms, meeting minutes, intra-District communications, District communications sent to students, student organizations, staff, alumni, applicants, and the public, personnel file documents, disciplinary documents, supportive measures provided, and notes generated for each complaint.
  12. Copies of all communications sent by the District to students, parents, student organizations, faculty, faculty organizations, staff, alumni, and the public relating to the incidents identified in Item 8, including all communications sent between and among District staff, and between and among District students, parents, and staff, regarding preparations for and responses to the incidents identified in Item 8.
  13. A detailed description of steps taken by the District, regarding the incidents identified in Item 8, to ensure that the Schools' students and staff were able to participate in and benefit from the District's programs and activities (e.g., an explanation of supportive measures offered to District students and staff, and copies of communications sent to District students, parents, and staff regarding the incidents identified in Item 8).
  14. For Items 11 – 14, please provide all school-based documentation, including investigative reports and notes, email, social media posts, communication, and/or descriptions of responses

and communications, that is not otherwise produced with District-based data in response to those items.

15. Any additional information the District believes might be helpful to OCR's investigation of the issue opened for investigation.

Thank you for your cooperation in this matter. In addition to the information requested above, OCR may need to request additional information and interview relevant personnel. If an on-site visit is necessary, we will work to schedule a mutually convenient time for the visit.

OCR will provide you with a link to a SharePoint folder. Please upload the data and information responsive to OCR's request in the SharePoint folder. Thank you for your attention to this matter. If you have any questions, please contact Lauren Lowe at [lauren.lowe@ed.gov](mailto:lauren.lowe@ed.gov)

Sincerely,

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

Melissa Howard  
Supervisory Attorney

Enclosure

cc: Ruchi Verma, Esq. (sent via email only to (b)(6); (b)(7)(A); (b)(7)(C))  
Laura Battistoni, Esq. (sent via email only to (b)(6); (b)(7)(A); (b)(7)(C))  
Alexa Bulau, Esq. (sent via email only to (b)(6); (b)(7)(A); (b)(7)(C))