
Office for Civil Rights Discrimination Complaint Form: Submission #736878

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?

Yourself or Someone else Someone else?

If someone other than yourself please include:

Injured Person's Name: Jewish students attending San Francisco Unified

Daytime Phone Number: {Empty}

Evening Phone Number: {Empty}

Relationship to You
(eg. son or daughter) {Empty}

Injured Person's Address: {Empty}

City: San Francisco

State: California

Zip Code: {Empty}

4. What institution discriminated?

Institution Name: San Francisco Unified School District

Address: {Empty}

City: {Empty}

State: California

Zip Code: {Empty}

School or department involved: Several

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? No

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: An organization that operates at multiple school sites under contract by San Francisco Unified School District actively encouraged students of the district to walk out of classes during school hours, to disrupt school for other students, and to use hate speech at multiple school sites on 10/18/2023 and other dates/times since Oct 7, 2023. The organization, called the Arab Resource and Organizing Center (AROC), encouraged students to use hate speech, including but not limited to the phrase "River to the Sea" during the protests and walkouts from classes that was extremely distressing to Jewish students, and indeed, other members of the community such as myself. To my knowledge, the district has failed to take any meaningful corrective action against this contractor despite its clear violation of district policies, breach of its own contract with the district, and its intentional disruption of educational activities at multiple school sites. Encouraging religiously targeted hate speech on campuses, and threatening activities/statements by other students in public schools strikes me as a clear violation of anti-discrimination laws and the rights of other students, particularly Jewish students, who were forced to experience this school sanctioned hate speech on campus during school hours. An article in the San Francisco Chronicle newspaper can be found here:

<https://www.sfchronicle.com/bayarea/article/sfusd-aroc-walkout-gaza-war-18540167.php>

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

yes or no No

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: Wed, 10/18/2023 - 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? Assuming the facts are confirmed through your investigation, the district should be required to: (1) immediately terminate the contract with the organization in question and sever any ties with it; (2) ban that organization from any district or school related activities or events, including preventing it from coming on campus, etc.; (3) as a corrective measure and to restore faith in the safety of its schools for Jewish students, SFUSD should be required to issue a public, formal apology for the actions of its contractor in this matter that expressly condemns the actions taken by the contractor, the hate speech 'river to the sea' the contractor encouraged, and assure Jewish students that the district in no way agrees with or endorses the views of this organization or the protestors it incited; and, (4) the district should be required to speak in its own voice to condemn calls for violence against Jews using as express examples specifically chants praising the "Intifada" and use of the phrase 'river to the sea' so that students know the district does not agree with the hate speech they've been forced to hear on campus. Finally, OCR's investigation should include a meaningful inquiry into whether any district employees, including teachers, used school resources, equipment, or their positions to encourage the walkout and hate speech by other students... this should include use of subpoenas to collect email, text messages, and instant messages, as well as witness interviews. Both school accounts and personal accounts should be searched as part of this effort. Should it be found that teachers or others employed by the district did encourage these violations of anti-discrimination laws, the employees should be terminated. We cannot allow teachers who use school resources to preach hate inside our schools to continue their jobs. Also, if OCR intends to let the district take the lead on any investigation, OCR must ensure that the district is reviewing employee emails, text messages, IMs, etc. and doing a

proper investigation, as I have no confidence in the district conducting a real investigation as opposed to simply trying to white wash events and conduct a superficial "investigation" in order to move on without truly fixing the harm that has been done or holding those who were involved accountable.

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

REGION IX
CALIFORNIA

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MAIL BOX 1200, ROOM 1545
SAN FRANCISCO, CA 94102

January 12, 2024

Dr. Matt Wayne
Superintendent
San Francisco Unified School District
San Francisco, CA 94102

By email only to: waynem@sfusd.edu

Re: San Francisco Unified School District - OCR Case No. 09-24-1153

Response required by: January 26, 2024

Dear Superintendent Wayne:

On December 8, 2023, the U.S. Department of Education (the Department), Office for Civil Rights (OCR), received a complaint against San Francisco Unified School District (the District). The Complainant alleges that the District discriminated against Jewish students on the basis of national origin (shared Jewish ancestry) when the District failed to respond adequately to incidents of alleged harassment by other students that the Complainant asserts were encouraged by the Arab Resource and Organizing Center (AROC), an organization operating at multiple school sites within the District, during October, November, and December 2023.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulations, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin under any program or activity receiving federal financial assistance. As a recipient of federal financial assistance from the Department, the District is subject to Title VI.

OCR will investigate the following issue: whether the District failed to respond in a manner consistent with the requirements of Title VI to alleged harassment of students by other students and a third-party organization based on national origin (shared Jewish ancestry).

Please note that opening an investigation in no way implies that OCR has made a determination with regard to its merits. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the complainant, the recipient, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and addresses the allegation as required by OCR's Case Processing Manual (CPM) (July 18, 2022). Please open [this link](#) for additional information about OCR's Complaint Processing Procedures.

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

