
Office for Civil Rights Discrimination Complaint Form: Submission #736641

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:

Daytime Phone Number:

Relationship to you: Fellow parent in the SOMSD

3. Who was discriminated against?

Yourself or Someone else Myself?

If someone other than yourself please include:

Injured Person's Name: {Empty}

Daytime Phone Number: {Empty}

Evening Phone Number: {Empty}

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

Injured Person's Address: {Empty}

City: {Empty}

State: {Empty}

Zip Code: {Empty}

4. What institution discriminated?

Institution Name: South Orange Maplewood School District

Address: 525 Academy Street

City: Maplewood

State: New Jersey

Zip Code: 07040

School or department involved: South Orange Maplewood School District New Jersey

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: MapSO Freedom School is a nonprofit, private educational institution that provides professional development to the South Orange Maplewood teachers and learning opportunities to students. Its foundation is anti-racist education. Since October 7, 2023 they have taken a STRONG anti-Israel stance, accusing Israel of genocide, apartheid, settler colonialism & more. They have posted 25 anti Israel social media posts on their instagram account, Facebook account and X (formerly known as twitter). Their post from this Saturday (11/25/2023) is a prime example (though they've since deleted it). It says the October 7 Massacre was necessary military resistance and the caption reads, "The solution is simple...dismantle the Israeli state."

My belief is that this kind of bias and bigotry has no place in our public schools. And that there are plenty of other amazing organizations that can provide the educational material MapSO Freedom School provides without subjecting our teachers and students to antisemitism. This organization is based out of South Orange Maplewood, and the address listed on their IRS exemption letter (Form 990) is 17 Parker Ave. Maplewood, NJ. This address is the address of our one and only high school (in the SOMSD district), Columbia High School. They teach professional development to other school districts in NJ. They receive financial assistance by the SOMSD Board of Education, and well as SOMEA which is the South Orange Maplewood teachers union.

They are teaching hate based indoctrination to pliable minds, and providing teachers with incorrect information. Anyone who has access to social media can see the hate being spewed. This includes kids who have access to social media. Most recently, an antisemitic assignment was given to a class at one of our middle schools.

In late October, a group of town residents created a "cease fire" rally. During this rally, a Mapso Freedom School teacher (who happens to be a (b)(6); (b)(7)(A); (b)(7)(C) teacher at (b)(6); (b)(7)(A); (b)(7)(C) screamed "Free Palestine". Mapso Freedom School is here and we're not running, not running away. We reject your charges of antisemitism. Then another member screamed "From the River to the Sea, Palestine will be free." This was in a local public space, where children were attending. The teacher who spoke is named is (b)(6); (b)(7)(A); (b)(7)(C). There are roughly (could be more) (b)(6); (b)(7)(A); (b)(7)(C) teachers at (b)(6); (b)(7)(A); (b)(7)(C) who are aligned with the Mapso Freedom School. There are many witnesses to see the antisemitism that has

increased in our community, as it's out in the public for anyone to see. There have been Mapso Freedom school teachers and presenters who have spoken to our Board of Education spewing incorrect information, and it's on public record on BOE meetings.

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: Thu, 11/30/2023 - 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? Asking our School District to remove the Mapso Freedom School liaison that is on our Board of Ed meeting, Somea union and the BOE to stop funding and for the district to to discontinue using them for educational and professional development.

Also filing lawsuit on violation of the US Dept of Education and Title VI of the Civil Rights act of 1964, as well as the US Dept of State's definition of antisemitism.

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

March 19, 2024

Sent via email only to: kgilbert@somds.k12.nj.us

Dr. Kevin Gilbert
Acting Superintendent of Schools
South Orange-Maplewood School District
525 Academy Street
Maplewood, New Jersey 07040

Re: Case Number 02-24-1115 South Orange-Maplewood School District

Dear Dr. Gilbert:

On November 30, 2023, the U.S. Department of Education (the Department), Office for Civil Rights (OCR) received a complaint filed against the South Orange-Maplewood School District (the District). The Complainant alleged that the District discriminated against students and employees on the basis of national origin (shared Jewish and/or Israeli ancestry) by failing to respond effectively to incidents of harassment including antisemitic conduct in its schools, such as swastikas and “Kill Jews” written on the bathroom walls of District schools, by students, employees, and/or third parties since October 2023.

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 students and employees based on national origin (including shared Jewish and/or Israeli ancestry).

Please understand that opening an investigation under Title VI does not mean that OCR has made a determination with regard to the 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 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 if 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 resolution of this case, OCR is providing an opportunity for the District to present its response to the complaint's allegation 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 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 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 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 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, please contact Joy Purcell, Senior Compliance Team Attorney, at (646) 428-3766 or joy.purcell@ed.gov; Leanne Tyler, Compliance Team Attorney, at (202) 987-0804 or leanne.tyler@ed.gov; or Sonia Hanson at (202) 708-8042 or sonia.hanson@ed.gov; or me, at (646) 428-3806 or felice.bowen@ed.gov.

Sincerely,

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

Félice A. Bowen
Compliance Team Leader

Attachment

Data Request

OCR Case Number 02-24-1115

South Orange-Maplewood School District (the District)

MapSO Freedom School (the Program)

OCR requests that this information reach our office within **20 days from the date of the attached letter, which is April 8, 2024**. If any of the required items are available to the public on the Internet, you may provide the website address. While OCR prefers electronic submissions, 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 Joy Purcell, Leanne Tyler, or Sonia Hanson to receive online portal information to upload data.

Email: joy.purcell@ed.gov; leanne.tyler@ed.gov; sonia.hanson@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 the District's employees preserve other data and documents that are relevant to the allegation(s) under investigation until OCR closes this case. 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 pertinent to reach a compliance determination.

Response Due: April 8, 2024

Please provide the following information for school year 2023-2024, unless otherwise indicated, or indicate in writing if any of the requested items do not exist:

1. Provide a narrative response to the issue(s) 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. State whether the issue has been or is currently under investigation by the District, or with another agency or court. If so, please provide the status of any investigation, any related complaint, and any determinations made by the District, the agency, or the court, including interim determinations.
3. Explain the relationship between the District and the Program, including any shared roles or responsibilities with the District related to the administration or operation of the Program. Include any existing agreements, contracts, or other documents governing use of District-owned or -operated facilities for the Program, and documents outlining any fiscal and/or administrative responsibility the District exercises over the Program.
4. State whether the District provides the Program with any monetary and/or other resources to administer the Program (e.g., use of the District property), and, if so, indicate whether the Program pays the District associated costs or fees for such resources, or for the administration of the Program generally.
5. State whether any District employees hold staff and/or administrative positions within the Program. If so, for each employee, indicate: (a) the employee's name; (b) the position the employee holds within the Program and within the District; (c) whether the Program position is paid, or involves some form of remuneration or benefit from the District; and (d) what the Program position entails and whether it is full- or part-time.
6. A description of the Program, including a description of the Program's policies and procedures, and/or a description of the Program's practices, governing the investigation of complaints or incidents of harassment and other discrimination against individuals, including students, employees, and/or third parties by Program participants, employees, and/or third parties, on the basis of national origin, 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 the Program staff responsible for handling complaints of discrimination, including harassment, on the basis of national origin, including shared ancestry, at each level of the process.
7. Copies of the District's policies and procedures, and/or a description of its practices, governing the investigation of complaints or incidents of harassment and other discrimination against students on the basis of national origin, 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 the District staff responsible for handling complaints of discrimination, including harassment, on the basis of national origin, including shared ancestry, at each level of the process.

8. Explain how the District informs students and employees of the policies and procedures referred to in Items 6 and 7 above. Submit copies of all materials disseminated and websites that contain this information.
9. Copies of the District's policies and procedures, and/or a description of the District's practices, governing: (a) disciplinary or corrective actions that may be taken to address harassment of and other discrimination against students, employees, and other individuals on the basis of national origin, 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 basis of national origin, including shared ancestry.
10. Copies and/or descriptions of all formal and informal oral and written reports and complaints, including records of oral reports and complaints of alleged antisemitic/shared Jewish and/or Israeli ancestry discrimination, including harassment, by District/Program teachers and/or staff, District students, and/or regarding any District/Program staff, during the school year 2023-2024. 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 relationship to the District and/or the Program of the person making the report/complaint (e.g., student, staff member, 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, 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 and/or the Program 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 and/or the Program of any witnesses interviewed by the District and/or Program;
 - 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 and/or the Program has taken in response to the report/complaint/concerns raised, including corrective action taken, disciplinary sanctions imposed, and supportive services and remedies offered and/or provided (e.g., counseling, safety measures); any individual and/or District-wide and/or Program-wide remedies; and any corrective actions or disciplinary sanctions imposed;

- 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 and/or the Program 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.
11. State whether the District and/or the Program 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 and/or the Program'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.
12. A detailed description of any training regarding discrimination, including harassment based on national origin—including shared ancestry—that the District and/or the Program provided to the District and/or Program 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 during the training.
13. The name, job title, address, telephone number, fax number and email address of the District's contact person for this complaint.
14. Any other information the District believes will assist OCR.