

**From:** [OCR\\_Webmaster@ed.gov](mailto:OCR_Webmaster@ed.gov) on behalf of OCR  
**To:** (b)(6); (b)(7)(A); (b)(7)(C)  
**Cc:** [OCR Philadelphia](#)  
**Subject:** OCR Electronic Complaint Submission  
**Date:** Friday, January 5, 2024 2:44:07 PM

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## REQUEST FOR CONSENT AND CONFIRMATION OF YOUR SUBMISSION

Thank you for submitting your complaint to the Office for Civil Rights (OCR).

To facilitate the processing of your complaint, **please submit your signed consent form within 20 calendar days of the date of this email.** If you checked the box on the complaint form requesting early mediation, you **MUST** submit a signed consent form to participate.

You may submit your signed consent form in one of these three ways:

1. Email a scanned PDF file or photo/jpeg file of your consent form to the email address below;  
or
2. Fax your consent form to the fax number below; or
3. Mail your consent form to the office address below. Please notify OCR using the email address or phone number below that you are mailing your consent form. In your e-mail or voicemail message, please include your case number, the name of the recipient, and the date that you mailed your signed consent form.

A copy of the consent form is available for your convenience at [OCR Complaint Consent Form](#). If you do not have access to a printer, please email or call the OCR Regional Office identified below to request a blank consent form. For more information about how OCR may use personal information with written consent, please see OCR's "[Notice About Investigatory Uses of Personal Information](#)."

**Your complaint has been automatically forwarded to the following OCR Regional Office for review:**

Office for Civil Rights/ED	<b>Phone:</b> 215-656-8541
Philadelphia Office	<b>TDD:</b> 800-877-8339
The Wanamaker Building	<b>Fax:</b> 215-656-8605
100 Penn Square East, Suite 515	<b>Email:</b> <a href="mailto:OCR.Philadelphia@ed.gov">OCR.Philadelphia@ed.gov</a>
Philadelphia, PA, 19107-3323	

The Regional Office will contact you if it needs more information about your complaint. If you need to communicate with OCR or submit additional information regarding your complaint, **please do not reply to this message.** Instead, please direct your correspondence to the above office.

**We recommend that you print a copy of this message and retain it for your records.**

OCREMAIL00737443A Institution Name: Philadelphia School District- (b)(6); (b)(7)(A); (b)(7)(C)



# Office for Civil Rights Complaint Assessment System

(/)

<a href="/administration">Admin Home (/administration)</a>	<a href="/user/logout">Logout (/user/logout)</a>
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## Office for Civil Rights Discrimination Complaint Form: Submission #737443

[◀ Previous submission \(/admin/structure/webform/manage/office\\_for\\_civil\\_rights\\_discrimination\\_complaint\\_form/375943\)](#)
[Next submission ▶ \(/admin/structure/webform/manage/office\\_for\\_civil\\_rights\\_discrimination\\_complaint\\_form/375943\)](#)



[Download PDF \(/print/pdf/webform\\_submission/375943?view\\_mode=html\)](/print/pdf/webform_submission/375943?view_mode=html)

### 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?

**Yourself or Someone else** Someone else?

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) Child

**Injured Person's Address:** Same

**City:** Same

**State:** {Empty}

**Zip Code:** {Empty}

## 4. What institution discriminated?

**Institution Name:** Philadelphia School District-

**Address:** {Empty}

**City:** Philadelphia

**State:** Pennsylvania

**Zip Code:**

**School or department involved:**

## 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?** race or color, national origin

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

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

My student viewed it,

Recorded it and asked for escalation to School based on code of conduct. cyber bullying policy 102b. Reported to school, several follow up requests, (b)(6); (b)(7)(A); (b)(7)(C) with other complaints this was worked on at school and student denied post and documented evidence was not shared or used to confront student. We sent documented evidence again in (b)(6); (b)(7)(A); (b)(7)(C) and no follow up occurred.

(b)(6); (b)(7)(A); (b)(7)(C) student outside of school told my student they hates Jews. Reported to school was not investigated to our knowledge and no reply was provided to the outcome of our reporting. Per Code of Conduct we believe this behavior is in scope during (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(6); (b)(7)(A); student arrives to school with (b)(6); (b)(7)(A); (b)(7)(C)  
Student is typically dressed in (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); Student wanted my (b)(6); (b)(7)(A); student to (b)(6); (b)(7)(A); (b)(7)(C)  
(b)(6); (b)(7)(A); I notified school and district leadership. They interviewed student who lied and said it wasn't the (b)(6); (b)(7)(A); they previously pronounced. Administration told student they loved the (b)(6); (b)(7)(A); Student was allowed to continue to (b)(6); (b)(7)(A); and continued to tell other students that they were (b)(6); (b)(7)(A); (b)(7)(C) This was very traumatic for my (b)(6); (b)(7)(A); student given the US declared terror attack on 10/7 in Israel. I was sent no information other than it was a misunderstanding and not to send pictures again to the school.

(b)(6); (b)(7)(A); At school (b)(6); (b)(7)(A); (b)(7)(C) and handed to Another student to give to my (b)(6); (b)(7)(A); student.

(b)(6); (b)(7)(A); A (b)(6); (b)(7)(A); student (b)(6); (b)(7)(A); (b)(7)(C) and wrote my students name and referenced their (b)(6); (b)(7)(A); (b)(7)(C)  
Student erased the drawing not to get in trouble.

Date unknown to me- (b)(6); (b)(7)(A); (b)(7)(C) A teacher reported it. Principal had it removed. No one was notified in the community

(b)(6); (b)(7)(A); (b)(6); (b)(7)(A); (b)(7)(C) violates fundraising policy of school district and was promoting misinformation of Israel. Flyers plastered about Israel committing genocide and occupation. Flyers had images of Israel removed from the map. Sent email to school and district requesting answers. Received one response only from district Chief of Staff and nothing further. Response was looking into it with Superintendent Dawson. Was told by Climate manager that the flyers were approved by Principal and they couldn't help me any further.

Date unknown- Teacher and Admin meeting where teachers raised issue of antisemitism and (b)(6); (b)(7)(A); and

were told there would no discussion about the events and not to speak with families.

Break out session of the Monthly (b)(6); (b)(7)(A); hosted by AS Gordon to discuss (b)(6); flyers more parents shared antisemitic stories at (b)(6); (b)(7)(A); AS Gordon met with approx 10 of us. To collect information but advised history was perspective and admitted to not knowing enough about the Middle East conflicts or how Jewish families might feel. Advises us that school district leadership wants to maintain neutrality (essentially ignore the crisis and war).

School district promotes teacher learning course about Israel and its occupation of Palestine. Training was removed from course selection.

Assistant Superintendent Jimena Clay is publicly stating Israel IDF is a terrorist organization and remains in charge of 10 district public schools. Many parents have written letters of concern to no response.

Have not heard one time from the Principal on any of the issues raised.

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:** Tue, 12/19/2023 - 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?** A safe place for Jewish and Muslim students.

Training for Administration.

Public apology to community.

Intervention for all students.

Training on No place for hate in school.

Letter from Wattlington condoning Hamas and advising no place for hate in our schools.

Counseling for students.

Safe reporting in place for discrimination that has oversight to be acted upon.

Clear communication when hate crimes occur on campus and in school. (Ie swastika drawings on public school property)

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

**I am interested in participating in early mediation:** Yes

[Download PDF \(/print/pdf/webform\\_submission/375943?view\\_mode=html\)](/print/pdf/webform_submission/375943?view_mode=html)



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

THE WANAMAKER BUILDING, SUITE 515  
100 PENN SQUARE EAST  
PHILADELPHIA, PA 19107-3323

REGION III  
DELAWARE  
KENTUCKY  
MARYLAND  
PENNSYLVANIA  
WEST VIRGINIA

April 9, 2024

**IN RESPONSE, PLEASE REFER TO: 03-24-1286**

**Sent via email only to:** [lrauch@philasd.org](mailto:lrauch@philasd.org)

Lynn R. Rauch, Esq.  
General Counsel  
Office of General Counsel  
School District of Philadelphia  
440 N. Broad Street  
Philadelphia, PA 19130

Dear Ms. Rauch:

This letter is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR) is opening for investigation the above-referenced complaint filed against the School District of Philadelphia (the District). The Complainant alleges that the District discriminated against students on the basis of national origin (shared Jewish ancestry) by failing to respond to incidents of harassment during the 2023-2024 school year.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. Section 2000d *et seq.*, and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, and national origin, including shared ancestry, in any program or activity receiving federal financial assistance from the Department. Because the District receives federal financial assistance from the Department, OCR has jurisdiction over it pursuant to Title VI.

OCR is opening the following issue for investigation:

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

Please note that opening the complaint for investigation in no way implies that OCR has made a determination on the merits of the complaint. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the Complainant, the District, and other sources, as appropriate. OCR will ensure its investigation is legally sufficient and fully responds to the allegation in accordance with the provisions of the [Case Processing Manual](http://www.ed.gov/ocr/docs/ocrcpm.pdf) (<http://www.ed.gov/ocr/docs/ocrcpm.pdf>) (CPM).

Our goal is the prompt, appropriate resolution of the complaint. While we are proceeding with an investigation, there are other approaches that can achieve this goal. In particular, please note the section on resolution of a complaint prior to the conclusion of an investigation. If the District expresses an interest in resolving the complaint and OCR determines that resolution of the complaint prior to the completion of the investigation is appropriate, OCR may attempt to negotiate an agreement with the District pursuant to CPM Section 302.

Attached is a request for data necessary to investigate this complaint. The Department’s regulation implementing Title VI of the Civil Rights Act of 1964, at 34 C.F.R. § 100.6(c) gives OCR the authority to request this information. Please note that OCR has the right of access to records that are necessary for OCR’s investigation, even if those records contain names or other personally identifiable information. *See* 20 U.S.C. §§ 1232g(b)(1) and 1232g(b)(3) regarding the applicable provisions of the Family Educational Rights and Privacy Act; *see also* 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii).

OCR requests that the District submit this information within 21 calendar days of the date of this letter (i.e., by **April 29, 2024**). We prefer that you submit information electronically, if feasible. If any item in our request is unclear, or if you experience any difficulty complying with this request, please contact us at the telephone number(s) provided below prior to the expiration of the 21-day period. Please be aware that OCR may need to make additional requests for information in the future. If OCR needs to conduct an on-site investigation, we will notify you in advance.

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, or participates in an OCR proceeding. If this happens, the individual may file a retaliation complaint 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, we will seek to protect personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released, to the extent provided by law.

We look forward to your cooperation during the resolution of this complaint. If you have any questions, please contact Supervisory Attorney, Craig Ginsburg at 202-394-3127 or [craig.ginsburg@ed.gov](mailto:craig.ginsburg@ed.gov).

Sincerely,

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

Team Leader/Supervisory Attorney  
Philadelphia Office  
Office for Civil Rights

Attachment

Cc: Audrey L. Buglione, Esq, Deputy General Counsel ([abuglione@philasd.org](mailto:abuglione@philasd.org))  
Dr. Tony B. Watlington, Superintendent ([Superintendent@philasd.org](mailto:Superintendent@philasd.org))

**School District of Philadelphia**  
**OCR Complaint No. 03-24-1286**  
**Data Request**

Please submit the following information to OCR by **April 29, 2024**, which is within 21 calendar days of the date of this letter. We prefer that you submit information electronically, if feasible. If you are sending a large electronic file, please contact OCR for directions on how to upload the file to OCR's secure file-sharing platform. Additionally, if any of the information is available online, you may provide the URL in lieu of hard copy documents. Please note that OCR is not requesting, and the District should not provide, any social security numbers in response to this data request. If any item in our request is unclear, or if you experience any difficulty complying with this request, please contact us prior to the expiration of the 21-day period. Please be aware that OCR may need to make additional requests for information in the future. If OCR needs to conduct an on-site investigation, we will notify you in advance.

**Preservation of requested and relevant data and documents:** 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 District 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.

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.

Please provide the following data by **April 29, 2024**:

1. The name, title, and contact information of the District's:
  - a. Contact person for this complaint;
  - b. Person authorized to resolve this complaint;
  - c. Person responsible for responding to Title VI complaints; and
  - d. Person responsible for handling complaints of harassment/discrimination on the basis of national origin/shared Jewish ancestry, at each level of the process.
2. A copy of the District's policies and procedures, and/or 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 of the process, the length of the process, and the types of records maintained.
3. Copies of all formal and informal reports/complaints, including records of oral reports/complaints, concerning alleged harassment and/or discrimination based on national origin, including shared ancestry, during the 2022-2023 and 2023-2024 academic years.

4. For each report/complaint in Item 3, provide the following:
  - a. the name(s) and title(s) of the individual(s) to whom the complaint/report was made, and the date of the complaint/report;
  - b. a detailed description of the complaint processing procedures employed to resolve the complaint/report;
  - c. the length of the process;
  - d. the name(s) and title(s) of the individual(s) involved in the handling of the complaint/report;
  - e. all actions the District took in response to the complaint/report;
  - f. the District's final determination regarding the complaint/report;
  - g. any corrective action taken including discipline and/or supportive measures; and
  - h. any notice of the findings provided to the complainant.
5. Copies of all documentation related to any complaint(s) identified in response to Item 3 and 4, including but not limited to correspondence, internal and external memoranda, investigative reports, witness statements, logs, forms, meeting minutes, personnel file documents, disciplinary documents, supportive measures provided and notes generated for each complaint.
6. State whether the District conducts trainings and/or holds informational sessions with the student community and/or District 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.
7. The names and titles of all persons who assisted in the preparation of these data responses.
8. A narrative response to the issue opened for investigation.
9. Any other information that the District believes will be helpful to OCR or relevant in this investigation.

If you are sending a large electronic file, please contact OCR for directions on how to upload the file to OCR's secure file-sharing platform.