



## Students & Special Education LAW UPDATE

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### TOOLS TO TACKLE ANTI-SEMITISM AND ISLAMOPHOBIA

On November 14, 2023, the United States Department of Education (“USDOE”) released a Fact Sheet on New Tools to Tackle Antisemitism, Islamophobia, and Related Forms of Discrimination and Bias. This followed President Joe Biden’s announcement in May 2023 of the United States National Strategy to Counter Antisemitism, and the November 2023 creation of the United States National Strategy to Counter Islamophobia. Following these initiatives, USDOE released this fact sheet which contains new resources to provide schools with the proper tools to protect students from discrimination and harassment due to their race, color, or national origin.

One of these resources includes \$1 billion in funding to districts from the Bipartisan Safer Communities Act to design and enhance initiatives to promote safer, more inclusive, and positive school environments for all. The Office of Elementary and Secondary Education has launched a webinar series for P-12 school personnel and community-based organizations to develop, strengthen, and share evidence-informed strategies to assist schools in preventing and responding to hate-based threats, bullying, and harassment. The series can be found at the following website: <https://safesupportivelearning.ed.gov/free-learn-miniseries>. USDOE also launched the Antisemitism Awareness Campaign regarding the rise of antisemitism and to provide tools on addressing this issue on campus.

The Office of Civil Rights (“OCR”) also released a Dear Colleague letter on November 7, 2023, which contains an important reminder to all PreK-12 schools of their legal obligations under Title VI of the Civil Rights Act of 1964 to ensure all students who are perceived to be Jewish, Israeli, Muslim, Arab, or Palestinian have a school environment free of discrimination. OCR additionally provided an updated complaint form which specifies Title VI’s protection from discrimination based on race, color, or national origin extends to students who are, or who are perceived to be, Jewish, Muslim, Hindu, or Sikh. The form can be found at the following link:

<https://www2.ed.gov/about/offices/list/ocr/complaintform.pdf>. We encourage all school districts to review this recently updated form. OCR will continue to collect data on allegations of harassment or bullying based on religion, including Judaism and Islam.

The federal government is taking an increased, focused interest in the unfortunate rise of discrimination on school campuses during the ongoing conflict in the Middle East. All districts must be vigilant to ensure their schools and students are safe and free of any form of discrimination.

Should you have any questions about the foregoing information, please contact our office.

- Megan E. Keavney

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