



The Louis D. Brandeis Center for Human Rights Under Law is an independent, unaffiliated, nonprofit corporation established to advance the civil and human rights of the Jewish people and promote justice for all.

NORTH CAROLINA SCHOOL AGREES TO SETTLE US EDUCATION DEPT ANTI-SEMITISM COMPLAINT INVOLVING NON-JEWISH BOY

Mother of bullied middle-schooler testified at Congressional briefing this month

Washington, D.C., May 30, 2024: A North Carolina public charter school agreed to settle a U.S. Department of Education investigation into severe, persistent, and pervasive anti-Semitic bullying that went unaddressed in one of its charter schools for two full academic years. The settlement requires the school to take concrete steps to address the systemic anti-Semitism it allowed to fester in its community.

According to the [settlement](#), the Community School of Davidson has entered into a resolution agreement with the Department of Education to resolve a federal [complaint](#) filed by [The Louis D. Brandeis Center for Human Rights Under Law](#) on behalf of a non-Jewish eighth-grade boy who faced daily abuse after he wore the Israeli Olympic jersey of his favorite Major League Baseball player. From that moment on he was treated with vicious, severe and relentless harassment and bullying by a group of nine classmates for being a Jew. He was called “dirty Jew,” “filthy Jew,” and “penny picker upper,” and told to “get in the gas chamber,” “go back to your concentration camp,” “go to your oven Jew,” “the oven is that way,” and “go die Jew.” The bullying occurred every single day all over school, even during Holocaust class, for two years. He was also threatened and physically assaulted.

Officials at the middle school were fully aware of the problem yet they refused to take steps to address the daily bullying and physical assaults.

"It would be hard to overstate the impact this has had on my child," said the boy's mother, who asked that her name and her son's name be withheld, during a recent congressional briefing on Capitol Hill about rising anti-Semitism in K-12 schools. "As a parent this has been completely devastating."

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin, including discrimination against Jews, or those perceived to be Jewish, on the basis of their actual or perceived shared ancestry or ethnic characteristics in educational institutions that receive federal funding.

In the settlement, the Department of Education confirmed that the evidence substantiated the Brandeis Center's claim that the child was subjected to a hostile environment based on his perceived Jewish shared ancestry, and that the school knew about it and did not take prompt and effective steps to address it or the broader hostile environment at the school. The Department of Education went on to admonish the school for failing to properly investigate, failing to take “timely, reasonable, and effective steps to eliminate the hostile environment,” and failing to “put in effective supports for bystanders who may have witnessed the antisemitic comments and experienced the impact of a hostile environment,” and it cautioned that these failures “may have impeded the School from identifying whether a hostile environment existed for other students.”

“This is a very important settlement. It reflects the severity of anti-Semitism we’re now seeing not only on college campuses but also in K-12 schools. This case also shows the various ways in which non-Jews as well as Jews can be harmed by anti-Semitic attitudes. The law recognizes that discrimination against those ‘perceived’ to be Jewish must be addressed because it is still bigotry, and it can quickly and dangerously multiply and seep into an entire community. We commend the courage of this family including a child for coming forward,” stated Kenneth L. Marcus, chair of the Brandeis Center and the former U.S. Assistant Secretary of Education.

The agreement requires the school to take the following immediate steps:

- Publish and publicize a statement that it does not tolerate "acts of harassment based on a student's actual or perceived race, color, or national origin including shared ancestry or ethnic characteristics (e.g. antisemitism)";
- Review and revise its policies and procedures for non-discrimination and reporting to ensure it specifies prohibited harassment based on "actual or perceived shared ancestry and ethnic characteristics," including providing examples of harassment based on shared ancestry and ethnic characteristics;
- Develop or revise procedures for documenting complaints of harassment and actions taken in response by the school;
- Annual trainings of school staff and administrators on anti-discrimination law under Title VI, including actual or perceived shared ancestry and ethnic characteristics;
- Conduct annual trainings of staff involved in processing, investigating, and resolving complaints of discrimination and harassment, including "racial sensitivity training, including on the basis of actual or perceived shared ancestry and ethnic characteristics";
- Develop a student informational program for students to address discrimination including on the basis of actual or perceived shared ancestry and ethnic characteristics;
- Conduct audits for the last two school years to determine if any incidents constituted discrimination including harassment on basis of actual or perceived shared ancestry and ethnicity, and if they find harassment occurred, the school must take steps to remedy the harassment towards affected students;
- Conduct an audit at the end of the 2024-25 school year to assess compliance with the school's anti-discrimination policies and procedures; and
- Conduct a climate assessment during 2024-25 school year and ensure parents and students have access to a counselor to discuss incidents and concerns.

The Department of Education indicated that it will monitor the Community School of Davidson until it determines it is in compliance with the terms of the settlement and the law.

"The fact that the school would ignore this is reprehensible," stated Marcus. "Unfortunately, though, far too many K-12 school districts and universities are taking the easy way out and allowing schools to become hostile environments for Jews, and by default anyone perceived to be Jewish. We urge the Department of Education to resolve other pending cases expeditiously so we can begin to turn the tide on this dangerous wave of anti-Semitism."

The boy's mother added, "It is critical that educators not only understand the seriousness and danger of letting anti-Semitism flourish in their schools, but also that they are capable of taking proper action to effectively confront it and protect our children."

The Brandeis Center also filed a federal complaint against [Berkeley Unified School District](#) and is suing the [New York Department of Education](#) for unaddressed anti-Semitism in K-12 schools. And the Department of Education is currently investigating Brandeis Center complaints for unaddressed anti-Semitism on numerous college campuses, including [Wellesley](#), [SUNY New Paltz](#), the [University of Southern California](#), [Brooklyn College](#), and the [University of Illinois](#). The organization also recently filed complaints against [American University](#), [UC Santa Barbara](#), [Occidental College](#), [Pomona College](#), [UMass-Amherst](#), and [Ohio State University](#).