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# Office for Civil Rights Discrimination Complaint Form: Submission #736196

## 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?

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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: PS59 Beekman (teacher Siriana Abboud)

Address: 233 E56th St

City: New york

State: New York

Zip Code: 10022

School or department involved: PS59

#### **5. Have you tried to resolve the complaint through the institution's grievance process, due process hearing, or with another agency?**

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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: This "so-called" teacher teaches 4 year old to hate Jews and is grooming them to be terrorists. How can any Jewish child or frankly their parents be assured that their children are treated fairly when she glorifies Hamas while demonizing Jews and Israel in the heart of Manhattan. I would hate to be a Jewish kid in her class. Does the Dept of Ed, not think her hatred which she is teaching does not result in yet more antisemitism and potentially violent acts down the road.

In May 2021, for example, the teacher accused Israel of "ethnic cleansing and genocide of Palestinians" since its founding, adding, "(yes, it's that simple)." She teaches children that I is for Intifada, let me guess J is for Jihad. Do we want to be raising a generation of 9/11 perpetrators?

Abboud made the comments during Israel's defensive Operation Guardian of the Walls, when Hamas launched over 4,000 rockets at the Jewish state and the IDF counterattacked its military infrastructure in the Gaza Strip.

In the past, Abboud has referred to Jews "terrorists" and "colonizers" of their own historic homeland, arguing that Israel's security barrier is "an apartheid wall." She openly supports the boycott, divest and sanctions (BDS) movement against Israel, and states that "There can be no peace so long as Zionism exists."

One of the teaching materials Abboud has promoted is an antisemitic book called "P is for Palestine," which has as the entry for the letter "I" that it stands "for Intifada, Arabic for rising up for what is right, if you are a kid or grownup!"

Last week, Abboud posted a picture of ruins in the Gaza Strip after the IDF struck Hamas targets during its war with the terrorist organization, writing that the "fascist ethnostate" of Israel had acted "with absolute zero impunity," instead of "complete impunity."

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

yes or no No

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## **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, 10/31/2023 - 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? I would like this person to not be able to teach at any school in the US. Her license should be revoked. She is not teaching - she is indoctrinating hatred. She should frankly not be allowed to work with children in any capacity never mind teach.

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

I am interested in participating in early mediation: No

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UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

32 OLD SLIP, 25<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK 10005

RACHEL POMERANTZ  
DIRECTOR  
NEW YORK OFFICE

November 28, 2023

Sent by email only to [LBerman7@schools.nyc.gov](mailto:LBerman7@schools.nyc.gov)

David C. Banks  
Chancellor  
New York City Department of Education  
Tweed Courthouse  
52 Chambers Street  
New York, New York 10007

Re: Case No. 02-24-1069  
New York City Department of Education

Dear Chancellor Banks:

On November 9, 2023, the U.S. Department of Education (the Department), Office for Civil Rights (OCR) received a complaint filed against the New York City Department of Education (NYCDOE). The complaint alleged that the NYCDOE discriminated against students on the basis of their national origin (shared Jewish ancestry) by failing to respond to harassment by a teacher at NYCDOE's P.S. 59 Beekman Hill International School (the School) from school year 2020-2021 through October 2023.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), as amended, 42 U.S.C. § 2000d *et seq.*, and its implementing regulations at 34 C.F.R. Part 100, which prohibit discrimination on the basis 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 NYCDOE is subject to Title VI and its implementing regulations.

OCR will investigate the following issue: whether the NYCDOE responded to alleged harassment of students at the School in a manner consistent with the requirements of Title VI.

Please understand that opening the allegation for investigation does not mean that OCR has made a decision about the allegation. During the investigation, OCR is neutral; OCR will collect and analyze the evidence it needs to make a decision about the allegation. OCR will ensure that its investigation is legally sufficient and addresses the allegation as required by OCR's Case Processing Manual (CPM). 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.

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

[www.ed.gov](http://www.ed.gov)

OCR intends to conduct a prompt investigation of this allegation. To reach an efficient and timely resolution of this matter, OCR is providing an opportunity for the NYCDOE to present its response to the 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 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 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 regulations 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.

Complaint allegations may be resolved in a variety of ways, including through mediation pursuant to Section 201(b) of OCR's CPM. Under 201(b) mediation, if both parties are interested and if OCR determines that the individual allegations are appropriate for mediation, the parties may voluntarily resolve the complaint allegations through mediation that OCR will facilitate. Note that in such case OCR does not monitor or enforce the agreement reached between the parties. Please inform OCR if you are interested in resolving this complaint through mediation.

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.

Please be advised that NYCDOE 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 NYCDOE with OCR.

Under the Freedom of Information Act, 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 Amy Young, Compliance Team Attorney, at (202) 987-1289 or [amy.young@ed.gov](mailto:amy.young@ed.gov); Lauren Numeroff, Senior Compliance Team Attorney, at (646) 428-3895 or [lauren.numeroff@ed.gov](mailto:lauren.numeroff@ed.gov); or me, at (646) 428-3901 or [alexander.artz@ed.gov](mailto:alexander.artz@ed.gov).

Sincerely,

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

Alexander H. Artz  
Compliance Team Leader

Attachment

### **Data Request**

OCR Case No. 02-24-1069  
New York City Department of Education (the NYCDOE)  
P.S. 59 Beekman Hill International School (the School)  
Siriana Abboud (the Teacher)

OCR requests that this information reach our office within **20 days from the date of the attached letter**. 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 Amy Young or Lauren Numeroff to receive online portal information to upload data.

**Email:** [amy.young@ed.gov](mailto:amy.young@ed.gov) or [lauren.numeroff@ed.gov](mailto:lauren.numeroff@ed.gov)

**Fax:** **(646) 428-3843**

**Mail:** U.S. Department of Education  
Office for Civil Rights  
New York Office  
32 Old Slip, 25<sup>th</sup> Floor  
New York, New York 10005

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.

**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 NYCDOE's compliance with the statutory and regulatory obligations at issue in this investigation, please ensure that NYCDOE 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 NYCDOE 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: December 18, 2023**

Please provide the following information for school years 2020-2021, 2021-2022, 2022-2023, and 2023-2024, unless otherwise indicated, or indicate in writing if any of the requested items do not exist:

1. State whether the issue has been or is currently under investigation by the NYCDOE, the School, or with another agency or court. If so, please provide the status of any investigation, any related complaint, and any determinations made by the NYCDOE, the School, the agency, or the court, including interim determinations.
2. Copies of the NYCDOE and/or the School's policies and procedures, and/or a description of the NYCDOE and/or the School's practices, governing the investigation of complaints or incidents of harassment of 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 NYCDOE and/or the School staff responsible for handling complaints of discrimination, including harassment, on the basis of national origin, including shared ancestry, at each level of the process.
3. Explain how the NYCDOE and/or the School informs students and employees of the policies and procedures referred to in Item 2 above. Submit copies of all materials disseminated and websites that contain this information.
4. Copies of the NYCDOE's and/or the School's policies and procedures, and/or a description of the NYCDOE's and/or the School's practices, governing: (a) disciplinary or corrective actions that may be taken to address harassment of and other discrimination against students 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.
5. Copies and/or descriptions of all formal and informal reports and complaints, including records of oral reports and complaints of alleged antisemitic/shared Jewish ancestry discrimination, including harassment, at the School and/or regarding the Teacher, during school years 2020-2021, 2021-2022, 2022-2023, and 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 relation to the NYCDOE and/or the School 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 NYCDOE and/or the School of any individual(s) who witnessed the alleged incident(s), including any NYCDOE and/or School students, employees, or others;
  - h. the name(s) and relationship to the NYCDOE and/or the School of any witnesses interviewed by the NYCDOE and/or School;
  - 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 NYCDOE and/or the School 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 NYCDOE-wide and/or School-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 NYCDOE and/or the School 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.
6. State whether the NYCDOE and/or the School 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 NYCDOE's and/or the School'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. A detailed description of any training regarding discrimination, including harassment, based on national origin, including shared ancestry, that the NYCDOE and/or the School provided to NYCDOE and/or School 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.

8. The name, job title, address, telephone number, fax number and email address of the NYCDOE's contact person for this complaint.
9. Any other information the NYCDOE believes will assist OCR in this investigation.