

RE: Senate Bill 435, Remove Discrimination in Education Act

Vote Favorable, with Amendments.

Dear Members of the Education, Energy, and the Environment Committee,

I represent the Howard County Jewish Advocacy Group (HCJAG):

<https://hocojag.org/>. I am a member of HCJAG's Board of Directors. HCJAG, in conjunction with our colleagues throughout Maryland, focuses on combating antisemitism. This testimony focuses on hateful behavior in Maryland's school systems.

Within the last couple of years, the Office of Civil Rights Department of Education OCR DoE has identified five secondary schools and one University, in Maryland, where Complaints of Race and National Origin Discriminations merited investigations.

The investigation of the Howard County Public School System (HCPSS) regarding harassment of Jewish students in years 2023-2024 is exemplary. OCR concluded "a hostile environment likely existed for Jewish Students in the School System [SS] but ... the SS did not assess ... any incidents ... [and] did not take steps to redress any such hostile environment." Moreover, the SS did not record, maintain, nor provided records to OCR. Further yet, "the SS counsel acknowledged that none of the policies and procedures [of HCPSS] include a provision requiring that the SS staff consider whether reported incident of shared ancestry discrimination create or contribute to a hostile environment."

<https://ocrcas.ed.gov/sites/default/files/ocr-letters-and-agreements/03241154-a.pdf>

In the 2023-2024 school year, beyond events at school demonstrations/protests, 28 incidents of shared ancestry discriminations were reported to the 16 schools within the HCPSS, including threats to kill Jews, slurs like "dirty Jew," equating Jews with Hitler's action, and much more. But, more antisemitic incidents took place during the school demonstration/protests and more incidents yet, were related to the protests, before and after the protests. "[S]everal Jewish students stayed home on the day of the walkout, specifically because of the walkout." "All of the walkouts were sponsored and organized by each of the schools' Muslim Student Union (MSU) or Muslim Student Associations (MSAS)." *Id.*

In light of the record number of national origin discrimination cases and the failure of the schools to respond, it is laudable that Senators Waldstreicher and Jackson sponsored SB 435, to designate Title VI Coordinator at schools.

But, amendments are needed to create an effective school policy. Here is one amendment. Add under 11-409 and 26-706, for each under article (B), one clause, that the Coordinator shall:

"Take proactive steps to schedule demonstrations, programs and activities in a manner to prevent creating a hostile environment for Title VI identifiable protected classes."

When '435 passes and is implemented at school district levels, it should create a requirement that protest organizers obtain a Permit for their plans, have their plans vetted by a school administrator, and face consequences for not respecting the Permit and allowed school public event rules.

Moreover, we think that a procedure is needed to investigate violence, threats, and intimidation during protest events, as well as non-compliance with the Permit and reports of the investigation being created. The OCR Settlement cited above highlights this need.

Thank you for your consideration.

Michael David

Member, HCJAG Board of Directors