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Confronting COVID-19-Related Harassment in Schools

A Resource for Families

Harassment and other discrimination stemming from prejudice and unfounded fears about the coronavirus (COVID-19) is wrong and can have devastating effects on students and their families.

During the pandemic, false information and harmful statements about Asian American and Pacific Islander (AAPI) communities have led to increasing acts of intolerance across the nation—from verbal harassment to violence. In schools around the country, AAPI students have reported bullying and harassment by classmates because of their race or national origin, including their ethnicity, ancestry, and language.

Public elementary and secondary schools as well as colleges and universities have a responsibility to investigate and address discrimination, including harassment, targeting students because of their race or national origin. When schools fail to take appropriate steps, the Educational Opportunities Section of the Civil Rights Division (CRT) at the U.S. Department of Justice and the Office for Civil Rights (OCR) at the U.S. Department of Education can help by enforcing federal laws that protect students from discrimination.

Examples of the kinds of incidents CRT and OCR can investigate:

Middle schoolers record themselves yelling "virus spreaders!" at their Asian American classmates during class and post the videos on social media. School administrators are made aware of the videos but refuse to investigate or take any action to protect Asian American students from further harassment at school.

High schoolers post anonymously in chat windows during a remote learning class that an Asian American classmate ruined the entire school year by bringing the "China Virus" to the community. The teacher can see the chat but does not address the comments or limit anonymous posting. The Asian American student turns her video off so that other students cannot see her but the chats continue.

When preparing to return to in-person learning, an elementary school principal asks parents of Asian American students about travel to China, family connections to Asia, and demands proof of a negative COVID-19 test before the child can be enrolled. The district does not request this information from students without Asian ancestry.

At a middle school, students in the cafeteria make comments about wearing two masks when Asian American students are nearby. They also mock Asian American students who speak to each other in their native languages, in full view of adult lunch monitors. To avoid the conflict, Asian American students start sitting at a different lunch table.

A college housing administrator tells an Asian American student to consider off-campus housing rather than the college's dorms, explaining that other students may not be comfortable living in a dorm room with the Asian American student until everyone is vaccinated.



What if a Student Experiences Discrimination in School?

If you believe a student has been treated unfairly—for example, treated differently, harassed, bullied, or retaliated against—because of their race or national origin, there are a number of actions you can take:

1

Notify a school leader (for example, a principal or student affairs staff) immediately. If you don't get the help you need, file a formal complaint with the school, school district, college, or university. Keep records of responses you receive.

2

Write down the details about what happened, where and when the incident happened, who was involved, and the names of any witnesses. Do this for every instance of discrimination and keep copies of any related documents or other information.

3

Ask the school or college/university to translate its documents (like a complaint form) and messages into a language you understand. **Ask for an interpreter if you need help** speaking with school staff in a language other than English.

4

If the school or college/university does not take steps to address your complaint or the discrimination continues, **consider filing a complaint** with the Civil Rights Division of the U.S. Department of Justice at civilrights.justice.gov, or with the Office for Civil Rights at the U.S. Department of Education at <https://www2.ed.gov/ocr/complaintintro.html> (to file a complaint in English) or <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html> (to file a complaint in a non-English language).

“No one in the United States should live in fear of victimization because of who they are, how they worship, where they come from, or whom they love. Diversity is central to who we are as a nation, and the Department of Justice is committed to holding accountable anyone who violates the civil rights of others.”

– Pamela Karlan, Principal Deputy Assistant Attorney General for Civil Rights, Department of Justice

“Racism and xenophobia should have no place in America. Diversity is a great strength of our nation, and the Department of Education’s Office for Civil Rights is committed to combating discrimination and working toward a more equitable future for our nation’s students.”

– Suzanne B. Goldberg, Acting Assistant Secretary for Civil Rights, Department of Education

