



U.S. Department of Education Releases Fact Sheet on Addressing Antisemitism, Islamophobia, and Other Related Forms of Discrimination and Bias

November 14, 2023

Today, the U.S. Department of Education (the “Department”) released a [Fact Sheet](#) that provides new resources for primary and secondary schools and post-secondary institutions to prevent, address, and report discrimination and harassment against students based on their race, color, or national origin, including students who are or are perceived to be Jewish, Muslim, Israeli, Arab, or Palestinian. These resources are part of the Biden-Harris Administration’s [U.S. National Strategy to Counter Antisemitism](#) and [U.S. National Strategy to Counter Islamophobia](#).

The Department, through its partnership with the National Center for Safe Supportive Learning Environments (“NCSSLE”), released two collections of specialized resources to assist educators, students, parents, and other community members in preventing and addressing antisemitism, Islamophobia, and other related forms of discrimination. One collection of resources is designed for [K-12](#) schools, and the other is designed for [institutions of higher education](#).

Additionally, the Department’s Office of Elementary and Secondary Education plans to launch a webinar series for K-12 administrators, educators, and staff to share strategies on how to prevent and effectively respond to hate-based threats, harassment, and bullying. The Department’s senior leadership also plans to conduct meetings and host listening sessions with education leaders, faculty, staff, students, and other community members across all education levels about keeping students safe in the classroom and on campus. The Department further shared that its Office for Civil Rights (“OCR”) is available, upon request, to provide technical assistance trainings on Title VI of the Civil Rights Act of 1964 (“Title VI”), including its application to certain forms of antisemitic and Islamophobic discrimination.

This Fact Sheet follows other recent actions by the Department to combat discrimination and bias. On November 7, 2023, OCR released a [“Dear Colleague Letter”](#) reminding all institutions that receive Federal financial assistance of their legal obligations under Title VI to provide every student with a learning environment that is free from discrimination based on actual or perceived race, color, or national origin. On October 30, 2023, OCR also released an updated [complaint form](#) that specifies that Title VI’s protections from discrimination based on race, color, or

national origin extend to students who are perceived to be Jewish, Muslim, Hindu, or Sikh based on ancestry or ethnic characteristics, including membership in a religion that may be perceived to exhibit such characteristics.

Cullen and Dykman LLP's Higher Education Practice Group will continue to monitor updates from the Department on this topic. We are also available to discuss strategies and best practices on how to proactively and effectively respond to any form of discrimination or bias on-campus. Should you have any questions regarding this alert, please contact [Dina Vespia](#) at (516) 357-3726 or [Jennifer McLaughlin](#) at (516) 357-3889, Co-Chairs of our [Higher Education Practice Group](#).

Thank you to [Ciara Villalona](#), an Associate and member of the Higher Education Practice Group, who assisted in preparing this alert.

This advisory provides a brief overview of the most significant changes in the law and does not constitute legal advice. Nothing herein creates an attorney-client relationship between the sender and recipient.

Practices

- Higher Education

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