

Preventing and Responding to Antisemitism, Islamophobia, and Discriminatory Harassment in Schools

BACKGROUND

With rising reports of antisemitism, Islamophobia, anti-Muslim hate and bias, and discriminatory harassment against Jewish, Israeli, Muslim, Arab, and Palestinian students, this fact sheet outlines school district obligations to prevent and respond to hate, bias, and discriminatory harassment, including in student-led protests and activism.

RESPONDING TO HARASSMENT, INTIMIDATION, AND BULLYING (HIB)

Every student has the right to a learning environment that is free from discrimination, harassment, intimidation, and bullying.

State and federal nondiscrimination laws outline school district obligations to respond to discriminatory harassment, which includes harassment based on race, religion, and national origin, including shared ancestry or ethnic characteristics. All school districts in Washington state are required to have policies in place to prevent and respond to instances of HIB.

Harassing conduct can be verbal or physical and need not be directed at a particular individual. Harassment can create a hostile environment when, based on the totality of circumstances, it is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the school district's education program or activity. When a school district knows or should know about antisemitism, Islamophobia, and discriminatory harassment, it must take immediate and appropriate action to investigate or otherwise determine what occurred, including documenting what has occurred. If an investigation reveals that discriminatory harassment has occurred, the school district must take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment and its effects, and prevent harassment from recurring.

State law also outlines school district obligations to respond to harassment, intimidation, and bullying (HIB). If a school receives a written HIB report that alleges conduct that could also be based on a protected class—such as race, religion, or national origin—the school must use both its HIB and discrimination complaint procedures to respond. This ensures the school conducts a prompt investigation while also ensuring it addresses any discriminatory hostile environment.



Schools must ensure students, families, and staff have notice about how to report concerns or submit written complaints.

The school may need to provide interim supportive measures to ensure students feel safe and welcome at school while the school district is investigating.

SPEECH AND LANGUAGE

During student protests or other forms of student advocacy, schools are urged to exercise caution and sensitivity to student speech or actions that may also be creating a discriminatory hostile environment for other students, families, and employees. Federal and state nondiscrimination laws prohibiting discriminatory harassment are not intended to restrict the exercise of any expressive activities protected under the U.S. Constitution. However, discriminatory harassment is not protected speech under the First Amendment.

To rise to the level of discriminatory harassment that is prohibited under state and federal law, the conduct must include something beyond the mere expression of views, words, symbols, or thoughts that some person finds offensive—it must also be considered sufficiently serious to deny or limit a student's ability to participate in or benefit from the educational program. For this reason, school districts investigating alleged discriminatory harassment should evaluate the conduct from the perspective of a reasonable person in the alleged focus's position, considering all the circumstances, including the focus's age.

School-Sponsored Media

The U.S. Constitution protects freedom of speech, including within public schools. In Washington, the right of freedom of the press is also protected for student journalists at public high schools.

Washington state law ([RCW 28A.600.027](#)) outlines free speech protections for student journalists producing content for school-sponsored media:

“School officials may only prohibit student expression that:

- *Is libelous or dangerous;*
- *Is an unwarranted invasion of privacy;*
- *Violates federal or state laws, rules, or regulations;*
- *Incites students to violate federal or state laws, rules, or regulations;*
- *Violates school district policy or procedure related to harassment, intimidation, or bullying pursuant to [RCW 28A.300.285](#) or the prohibition on discrimination pursuant to [RCW 28A.642.010](#);*
- *Inciting of students so as to create a clear and present danger of:*
 - *The commission of unlawful acts on school premises;*
 - *The violation of lawful school district policy or procedure; or*

- *The material and substantial disruption of the orderly operation of the school. A school official must base a forecast of material and substantial disruption on specific facts, including past experience in the school and current events influencing student behavior, and not on undifferentiated fear or apprehension; or*
- *Is in violation of the Federal Communications Act or applicable federal Communication Commission rules or regulations."*

Student Protests and Activism

While students may choose to plan and/or participate in walkouts or protests as protected expression, the Office of Superintendent of Public Instruction (OSPI) expects school districts to have a plan that prepares the district to be able to keep students safe on school campuses during any planned events. School districts should work with students to ensure maximum communication, including providing clear guidelines with students about expectations for respectful and non-harassing or non-discriminatory dialogue. Because schools house "captive" audiences (i.e., students) who often cannot remove themselves from interruption, tension, or one-sided speech, OSPI strongly encourages districts to work with students to identify locations other than their schools, or to choose times/days (with proper permission) when the general student population will not be on campus.

School districts should have strict campus-entry controls in place to protect student safety, including requiring all visitors check in and wear a visitor's badge, and ensure school staff are monitoring hallways and common areas, including exterior grounds.

Culturally Responsive Speech

The language used to refer to any member of the school community should be respectful. When speaking or writing about particular groups, it is best practice to respect how people belonging to these groups talk about themselves.

Antisemitism has a long history of being associated with harmful tropes and assumptions. [Learning for Justice](#), a program established by the Southern Poverty Law Center (and [formerly known as Teaching Tolerance](#)), provides [a list of tropes as examples of microaggressions and stereotypes that negatively affect the lives of Jews](#).

Schools and students should also be aware that [the phrase "from the river to the sea, Palestine will be free" may be perceived as being antisemitic](#).

There are many tropes affecting Muslims and their religion, Islam, that ignore the internal diversity, range of interpretations, and history of Islam. The Bridge Initiative by Georgetown University [provides a list of tropes as examples of stereotypes that negatively affect the lives of Muslims](#).

Antisemitic and anti-Muslim or Islamophobic tropes, assumptions, and slogans should not be used by students, teachers, or any member of the school community. [Learning for Justice's "Speak Up at School" guide](#) offers tools for addressing hate, prejudice, and stereotypes at school.

ADDITIONAL RESOURCES

- Information about religion in schools [for families](#) and [for school districts](#) (OSPI)
- [Harassment, Intimidation, and Bullying webpage](#) (OSPI)
- [Discriminatory Harassment webpage](#) (OSPI)
- [Reminders About School District Employees' Free Speech Rights](#) (OSPI, 2024)
- [Understanding and Countering Antisemitism and Islamophobia in Schools](#) (Learning for Justice, 2024)
- [Responding to Hate and Bias at School](#) (Learning for Justice, 2017)
- [Addressing Discrimination Against Muslim, Arab, Sikh, South Asian, Hindu, and Palestinian Students](#) (U.S. Department of Education, 2024)
- [Discrimination, including Harassment, Based on Shared Ancestry or Ethnic Characteristics](#) (U.S. Department of Education, 2023)
- [Holocaust Center for Humanity](#)
- [Antisemitism and Holocaust Denial](#) (U.S. Holocaust Memorial Museum)