

February 17, 2011

Via Email (whiaapiplans@ed.gov)

Secretary Arne Duncan
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Re: Organizational Comments on Department of Education Agency Plan for White House Initiative on Asian Americans and Pacific Islanders

Dear Secretary Duncan:

The undersigned organizations offer their gratitude to the Department of Education (ED) and White House Initiative on Asian Americans and Pacific Islanders (WHIAAPI) for the opportunity to comment on the proposed agency plan for ED. We are also grateful for ED's strong commitment to address school bullying more generally and in the AAPI community.

We strongly support efforts to ensure that Asian American and Pacific Islander communities meaningfully shape the work of our federal government. We look forward to partnering with ED to ensure our recommendations are realized.

Recommendation 1: Filing of Bullying Complaints with the Office of Civil Rights

It is our belief that Asian American and Pacific Islander (AAPI) community members are under-utilizing the bullying redress mechanism offered through filing a complaint with the Office of Civil Rights (OCR) at ED. It is our understanding that OCR currently is addressing only a few dozen bullying matters involving AAPI children.

We, therefore, would like to see a concerted measurable effort to increase AAPI community awareness of OCR complaint mechanisms and a subsequent, measurable increase in OCR enforcement or compliance activities in the AAPI community.

Strategy 4 under Goal 3 in ED's agency plan states that ED will participate in two "WHIAAPI driven events within the AAPI community to educate it on OCR Harassment and Bullying Guidance, and other relevant guidance and legislation." We recommend that these events include a component specifically dedicated to educating community members on the protections enforced by OCR and how one may file a complaint with OCR.

We also recommend that OCR ensure that all relevant materials on the protections it enforces be translated in common AAPI English Learner languages.

Finally, we recommend that OCR offer a statement on the protections it offers for AAPI ethnic media in all the relevant AAPI native languages and in English.

Recommendation 2: Increase OCR compliance reviews for school districts with vulnerable AAPI populations

OCR's compliance reviews are a critically important tool for ensuring that school districts understand and are responsive to ED's policies around school services and needs within the AAPI community. Compliance reviews help districts understand mandated standards and send a clear message that ED is engaged with the needs of the AAPI community.

We recommend that OCR work with the WHIAAPI and other AAPI organizations to set criteria for identifying and increasing the number of compliance reviews in districts with vulnerable AAPI populations (i.e. increasing immigrant populations, a significant religious minority, etc.).

Recommendation 3: Technical Assistance and Policy Guidance Activities of OCR and the AAPI Community

It is our understanding that OCR engaged in a series of policy guidance and technical assistance activities to ensure civil rights laws are enforced. While the ED's agency plan does not specifically address OCR's technical assistance work, we recommend that ED's agency plan include a component which measures and tracks the provision of technical assistance activities targeted towards addressing bullying in the AAPI community. ED may work with the undersigned AAPI organizations or other AAPI organizations to ensure such activities are truly responsive to AAPI community concerns and are appropriately targeted.

Recommendation 4: Tracking Bullying Incidents and Data Disaggregation

The proposed ED agency plan sets forth as Objective 3.2 an "[i]ncrease in public awareness of bullying issues faced by Asian American and Pacific Islander (AAPI) students." To this end, the agency plan calls for an evaluation of existing data, disaggregation of data, and, if necessary, collection of additional data.

We respectfully recommend disaggregation of such data to ensure that bullying victims are identifiable on the basis of national origin in the AAPI community. The dynamics of bullying are often community-specific. We call on ED to therefore disaggregate data on bullying on the basis of national origin.

In addition to disaggregating data on the basis of national origin, we also request that ED disaggregate data on the basis of religion. We believe this recommendation to be methodologically consistent with ED's goal of promoting data disaggregation to better diagnose AAPI student achievement gaps. Islam and Sikhism are two of the world's largest faith traditions and the majority of their adherents are from Asia. Immigrants from these communities have been particularly susceptible to bias-based violence and bullying.¹ We believe ED has an obligation to ensure it understands the depth and scope of bullying suffered by children from these communities in part by collecting data on bullying on the basis of religion.

We are mindful that Title VI of the Civil Rights Act of 1964, which ED enforces, does not include religion as a protected class. Nevertheless, we believe that the data ED collects should have better insight into the victims of bullying in schools and the possible motivations for such bullying, including religious bias.

¹ In this regard, please review, [Hatred in the Hallways: A Preliminary Report on Bias Against Sikh Students in New York City's Public Schools](#) (2007); [Sikh Coalition Bay Area Civil Rights Report](#) (2010).

Therefore, while we recommend no changes in the text of Objectives 3.1 and 3.2, we recommend that Strategy number 5 read: “Release a fact sheet with data regarding bullying of AAPI students, including data on bullying on the basis of religion, particularly of Muslim and Sikh students.”

Recommendation 5: Promote Curricula that Include Study of World Cultures and Religions

The proposed ED agency plan sets forth as Goal 3 the identification of three evidence-based anti-bullying programs that have been successful in addressing anti-bullying issues. Although we applaud the identification of anti-bullying programs that have a proven track record of success, we respectfully recommend evaluation of school programs that are less well-established, but which have great potential to reduce the incidence of bullying, particularly on the basis of religion since the bullying of Muslim and Sikh children of AAPI origin is an acute problem. One such program was initiated by the public schools of Modesto, California and was designed to combat bullying through the neutral study of world religions.²

We therefore, recommend that the identified models for combatting bullying within Strategy 2 under Goal 3 specifically include a model that is proven to combating Islamophobia in the classroom and its affect on Muslim and Sikh students.

We appreciate the opportunity to provide comments and look forward to implementing the foregoing recommendations in collaboration with the Department of Education and our other federal partners. Please let us know if you require additional information, and please accept our gratitude for your consideration.

Respectfully yours,

The Sikh Coalition
Asian Pacific Islander Legal Outreach
Asian Law Caucus
Asian American Legal Defense and Education Fund
Asian Americans United
Coalition for Asian American Families and Children
Islamic Networks Group
Muslim Advocates
Muslim Public Affairs Council
Sikh American Legal Defense and Education Fund
South Asian Americans Leading Together
South Asian Council for Social Services
Southeast Asia Resource Action Center
UNITED SIKHS

² First Amendment Center, [Learning About World Religions in Public Schools: The Impact on Student Attitudes and Community Acceptance in Modesto, California](#) (2006).