



Council on American-Islamic Relations Pennsylvania
Philadelphia Chapter
1218 Chestnut Street, Suite 510
Philadelphia, PA 19107
Tel: 215-592-0509 | Fax: 267-318-7304

January 2, 2014

[REDACTED], Esquire
Solicitor, [REDACTED] School District

Dr. [REDACTED], Superintendent
[REDACTED] School District

[REDACTED], Athletic Director
[REDACTED] High School

[REDACTED], Principal
[REDACTED] High School

[REDACTED] Coach
[REDACTED] High School

Re: Notice of Alleged Educator Misconduct & Request for an Investigation

Dear Sirs:

The Council on American-Islamic Relations Philadelphia Office (CAIR-Philadelphia) has received a complaint of alleged educator misconduct by [REDACTED] Coach [REDACTED]. We are contacting to put you on notice of such alleged conduct and to request that your school, and school district, conduct an investigation into such conduct. In the end, we hope that this matter can be resolved quietly and amicably, without the need to contact the state or federal departments of education or any member of the media. However, neither the school, nor the school district, are amenable to such a resolution, then CAIR-Philadelphia is prepared to take any measures necessary to address our concerns.

The conduct which has been reported to us, if it can be substantiated, is egregious. We have received information that [REDACTED] Coach [REDACTED] made several comments to [REDACTED] High School ([REDACTED]) students intended to denigrate persons of [REDACTED] national origin, [REDACTED] ethnicity, and Islamic faith. For example, it is alleged that [REDACTED] told students that, while serving as a Marine in [REDACTED], he had seen an [REDACTED] man engaging in an act of [REDACTED] [socially deviant sexual behavior], and CAIR-Philadelphia believes that [REDACTED] told students this horrific story for the purpose of negatively portraying persons of [REDACTED] national origin, and/or [REDACTED] ethnicity, to the students. It is also alleged that [REDACTED] told these students that "a lot of" [REDACTED] men are "gay" (using the term "gay" in a derogatory manner) and that Muslim men are, as a general matter, disrespectful to women. Taken as a whole, it is apparent that [REDACTED]'s remarks to his students, if they can be corroborated, do more than simply demonstrate an incredibly poor judgment as to what constitutes appropriate faculty-student conversation. These remarks appear designed to portray [REDACTED] men (and, perhaps, all Muslim men) as persons who substantially deviate from socially acceptable norms concerning gender and sex.

If [REDACTED] made these comments, such remarks would be sufficient to give rise to an "Educator Misconduct Complaint" with the Pennsylvania Department of Education, assuming [REDACTED] is a licensed educator. Moreover, if neither [REDACTED] High School, nor the [REDACTED] School District, take appropriate measures to address such conduct, any school official who fails to take the appropriate action could also be the subject of an Educator Misconduct Complaint. Additionally, as public schools fall within the definition of a "public accommodation" under the Pennsylvania Human Relations Act (PHRA), a complaint can be filed with the

Pennsylvania Human Relations Commission, the state agency charged with investigating and adjudicating alleged violations of the PHRA. Finally, the alleged conduct may give rise to claims filed with either the United States Department of Education, which enforces laws which ban harassment in schools based upon race or national origin, or the United States Department of Justice, which has broader authority to investigate harassment in schools based upon religion.

As you may be aware, CAIR-Philadelphia is not unaccustomed to using legal processes to address harassment in schools. In fact, an April 12, 2013, continuing legal education (CLE) course titled "How to Litigate a School Bullying Case" was created by CAIR-Philadelphia's legal director and was the first CLE of its kind in Pennsylvania. If necessary, we are prepared to use legal processes to reach a just resolution of this matter.

As you are undoubtedly aware, the Educator Misconduct Complaint process through the Pennsylvania Department of Education is, by design, a confidential process. I do not make a practice of "trying my cases in the media," particularly cases that involve minors as clients, and it is my intention to resolve this matter both amicably and quietly.

In addition to [REDACTED]'s alleged remarks to the students at [REDACTED] High School, he may have engaged in other questionable conduct. On [REDACTED], 2013, [REDACTED] contacted CAIR-Philadelphia and suggested that he was willing to initiate legal action against CAIR-Philadelphia if our agency "goes public" with our concerns regarding his alleged remarks to students. It is not clear to CAIR-Philadelphia what [REDACTED] meant by the phrase "goes public"; however, we believe that [REDACTED]'s remarks constituted a threat to file a SLAPP (Strategic Lawsuit Against Public Participation) lawsuit against our organization if we notified anyone of our concerns regarding the remarks he had made to students concerning [REDACTED] men. Please be advised that CAIR-Philadelphia is not intimidated by this threat and, while we do not make a practice of "trying our cases in the media," we are prepared to take any measures necessary to address our concerns.

Again, CAIR-Philadelphia requests that the [REDACTED] High School and [REDACTED] School District conduct an investigation into the discriminatory remarks allegedly made by [REDACTED] Coach [REDACTED] and to take such additional steps as may be warranted by such an investigation.

[REDACTED], as Solicitor of the [REDACTED] School District. I will look forward to hearing from you as to how you wish to proceed in the instant matter.

Sincerely,



Amara Chaudhry-Kravitz
Legal Director, CAIR-Philadelphia
Pa. Bar No. 92584
W.Va. Bar No. 9194 (inactive)