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“We Want an Education in a Safe School”: Students Demand Institutional Accountability for Anti-Asian Violence at South Philadelphia High School

Cecilia Chen[†]

INTRODUCTION

On December 3, 2009, dozens of Asian immigrant students at South Philadelphia High School (SPHS) in Philadelphia, Pennsylvania, were targeted and assaulted by their non-Asian peers throughout the school day. Sadly, this horrific event was simply another addition to the ongoing and pervasive anti-Asian and anti-immigrant violence at the school. Despite students’ and community advocates’ previous efforts to address bias-based harassment for over a year, in the days following the attacks, school and district officials endeavored to downplay the severity of these assaults and refused to acknowledge that the attacks were racially motivated. In the face of indifference by these officials, Asian immigrant students from the school, with the support of community advocates, began a campaign against the ongoing violence.

I. EVENTS OF DECEMBER 3RD¹

The assaults began early in the morning. Before 9 a.m., more than ten students rushed into a classroom and attacked an Asian student.² Later that

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1. Many of the facts and statements asserted in this article are based upon the author’s direct work with SPHS students, with whom she has worked since September 2009 as a staff attorney with AALDEF.

2. James T. Giles, Pepper Hamilton LLP, *Report to the School District of Philadelphia of an Independent Investigation into Possible Racial/Ethnic Conflicts at South Philadelphia High School on*

morning, teachers reported that groups of students were going door-to-door looking for Asian students to target.³ By mid-morning, a group of thirty to forty students burst into a hallway while school staff frantically moved Asian students into classrooms.⁴ At lunchtime, security footage documented sixty to seventy students surging forward to attack a small group of Asian students.⁵ Dozens of students surrounded and attacked Asian students in the school cafeteria and outside the lunchroom while other students appeared to cheer and school personnel largely stood by.⁶ School police also detained three to five students who had dragged an Asian girl down the stairwell by her hair.⁷ Finally, after school, a group of Vietnamese students approached the school principal to express fear for their safety and a desire to remain on campus.⁸ Instead of responding to their concerns, the school principal walked the ten boys and girls toward large masses of students that school officials later acknowledged were larger and rowdier than usual.⁹ The Vietnamese students were subsequently chased and assaulted by twenty to forty students within view of the principal, as more than one hundred onlookers surrounded them.¹⁰ By the end of the day, thirteen Asian students had been sent to the hospital, and numerous others witnessed and were traumatized by the attacks. Throughout the day, reports showed that the school principal had been made aware of the assaults on Asian youth yet failed to act.¹¹ Though students repeatedly articulated fear and concern for their safety, school personnel insisted that the students proceed normally through their day, ignoring their pleas for protection, and forcing them into locations where they were eventually assaulted.

In its response to the widespread attacks on Asian students that day,

December 2-3, 2009 6 (Feb. 23, 2010), available at http://www.aaunited.org/downloads/sphs/2010/201002_giles_report.pdf. This report was commissioned by the School District of Philadelphia in the weeks following the December 3rd assaults. Student victims and community advocates have strongly criticized the report, saying the report is deliberately limited in scope, mischaracterizes the violence throughout the day, and, most importantly, essentially absolves school officials of responsibility for the assaults. See Asian Americans United, School District Investigation, <http://aaunited.org/campaigns/sphs/sphs-media/> (last visited Mar. 21, 2010). Although AALDEF, SPHS students, and community groups continue to dispute the adequacy of the report, some of the report's findings are cited in this article as facts established by the School District's own investigation.

3. Giles, *supra* note 2, at 6.

4. *Id.* at 10.

5. *Id.* at 12.

6. *Id.* at 12-13.

7. *Id.* at 15.

8. *Id.* at 21. In interviews with AALDEF, the Vietnamese students stated that they pointed out a large group of non-Asian students standing around the school to their principal, and told her that they were afraid. To this, the principal responded, "If you are afraid, then I will walk with you," and led them directly towards the hostile crowd of students, who subsequently chased and attacked the Vietnamese students.

9. *Id.* at 21-22.

10. *Id.* at 23-24.

11. *Id.* at 8, 17-18.

the School District of Philadelphia attempted to minimize the severity of the attacks by misinforming the public. One school official called the racially-motivated violence a “blip,” blatantly ignoring previous attacks in 2008.¹² Another school district official told newspapers that “a minor incident occurred on Thursday in school, with no injuries or arrests.”¹³ In a letter sent home to parents on December 4, 2009, SPSHS’s principal referenced “an incident occur[ing] at dismissal, outside of South Philadelphia High School on Thursday, December 3, 2009,” but failed to mention the numerous attacks on Asian students throughout the day inside the school building.¹⁴ In another attempt to deflect blame, the superintendent of the district, in her first public remarks on the violence six days later, announced that the December 3rd attacks were triggered by an “unwarranted, off campus attack on a disabled African American student”¹⁵—an allegation that a later investigation showed to be unsubstantiated.¹⁶

Although highly publicized in newspapers nationwide, the December 3rd assaults were only the latest of such incidents. During the 2008-2009 school year alone, the Asian American Legal Defense and Education Fund (AALDEF)¹⁷ and other community advocates documented and reported over two dozen incidents of harassment against Asian immigrant students at SPSHS.¹⁸ For example, on October 6, 2008, five Asian students were attacked by as many as thirty non-Asian students outside a subway station, one block from the school.¹⁹ Two days later, nearly seventy Asian students staged a walk out after presenting a petition to the school principal demanding improvements to school safety.²⁰ Nevertheless, it was only after the December 3rd attacks and subsequent student action that the situation garnered national attention.

12. *Students Boycott South Philly High After Attacks* (CBS 3 Philadelphia television broadcast Dec. 7, 2009), available at <http://cbs3.com/local/South.Philadelphia.High.2.1350722.html>.

13. Associated Press, *Philadelphia School’s Racial Tensions Lead to Fights*, USA TODAY, Dec. 4, 2009, available at http://www.usatoday.com/news/nation/2009-12-04-philadelphia-school-racial-tension_N.htm.

14. Letter from Principal LaGreta Brown to SPSHS Parents (Dec. 4, 2009) (on file with AALDEF).

15. *Students Meet with School Board After Attacks* (CBS 3 Philadelphia television broadcast, Dec. 9, 2009), available at <http://cbs3.com/topstories/asian.students.attacks.2.1359203.html>.

16. Giles, *supra* note 2, at 3-4.

17. Founded in 1971, AALDEF is a national organization that protects and promotes the civil rights of Asian Americans. AALDEF focuses on critical issues affecting Asian Americans, including educational equity, youth rights, affirmative action, immigrant rights, civic participation, voting rights, economic justice for workers, language access to services, census policy, and the elimination of anti-Asian violence, police misconduct, and human trafficking.

18. Incident reports on file with AALDEF.

19. George W. Miller, *Asian Students Under Assault*, PHILA. WKLY., Sept. 1, 2009, available at <http://www.philadelphiaweekly.com/news-and-opinion/cover-story/Asian-Students-Under-Assault.html>.

20. *Id.*

II. THE STUDENTS TAKE ACTION TO GET A “REAL EDUCATION”

What happened next was both monumental and completely unexpected by the School District of Philadelphia—the students staged a boycott. For eight days, over fifty Asian students—all immigrant students who are part of the school’s English for Speakers of Other Languages (ESOL) program—refused to attend school in protest of the rampant anti-Asian and anti-immigrant violence at SPHS. Instead, these courageous students met every day with local Asian American community advocates to document their experiences at the school and discuss solutions to address the unsafe environment. It was, in their words, an effort to get “a real education about how to ensure our safety.”²¹

On December 9, 2009, in a peaceful march from Philadelphia Chinatown to the School District headquarters, the boycotting students and their supporters carried signs reading “Stop School Violence!,” “We want an education in a safe school!,” “It’s not a question of who beat whom, but who let it happen,” and “Grown ups let us down!”²² More than a dozen students and advocates testified before the Philadelphia School Reform Commission (SRC), asking the Commission and the School District to take swift steps to ensure the safety of all of its students.

In a joint statement presented to the SRC on December 9, 2009, the boycotting students wrote:

We are targeted because we are Asian immigrants. Every day we face taunts and violence. It hurts when we are attacked by other students. It hurts even more when school staff ignore, deny or cover up the racial attacks against us.

Most of the students at South Philadelphia High School—Asian, African American, Latino and white—are just like us. They are trying to get an education in a school where they do not feel safe or respected. We are calling on the adults in the school and in the School District to take responsibility for the unsafe environment of South Philadelphia High School that makes it hard for us to learn there.²³

One student, who had been physically assaulted after school on December 3rd, told the Commission, “It hurt our bodies, it also hurt our hearts.”²⁴ In response to the students’ statements, the SRC offered a hasty, half-hearted

21. Letter from South Philadelphia High School Boycotting Students to the Philadelphia School Reform Commission (Dec. 9, 2009) (on file with AALDEF).

22. Kristin A. Graham, *Asian Students Describe Violence at South Philadelphia High*, PHILA. INQUIRER, Dec. 10, 2009, available at <http://www.philly.com/philly/news/homepage/78944382.html>.

23. *Id.*

24. Testimony of D.T. to Philadelphia School Reform Commission (Dec. 9, 2009) (unpublished manuscript, on file with AALDEF).

apology at the end of the meeting, after most of the boycotting students had left the room.

On December 15, 2009, the students suspended their boycott after Superintendent Arlene Ackerman finally agreed to attend a meeting with the boycotting students, their parents, and community advocates in Philadelphia's Chinatown. A few days prior, Superintendent Ackerman had rejected the students' demands to meet with students, parents and activists in a neutral location. She firmly declared that she would have "private conversations with the students and their families" but that she "[did] not intend to have conversations with community leaders."²⁵ At the meeting, students, supported by community advocates, held a pointed exchange with the Superintendent and other school officials about the school's refusal to address the anti-Asian and anti-immigrant violence at the school and school's lack of an appropriate response to the escalating violence against them.

Following their decision to suspend the boycott and return to school, the students issued a public statement:

Through our trials and struggles, we pushed the school to hear us. We have made change by standing together. We are proud of what we have done. If something happens again after all this, we know that we have strong wills and we will stand together again.

We have come back to stand with more students. We want to start a dialogue with other student organizations. We will continue to work with the community organizations. The struggle will go on until all the demands are met. We won't give up. We ask everyone to continue to pay attention to what's going on at South Philadelphia High School. We hope that school can change their attitude for the benefits of all students. We thank our supporters. Without the support of everyone we could not go this far. We are excited for the future. We now believe in hope and change like President Obama.

We want a safe school for everyone. We want everyone to have a good education. This is not the end, but just the beginning of the fight for better futures and better educations for all races of students.²⁶

III. THE STRUGGLE CONTINUES . . .

Once back in school, Asian students continued to report incidents of harassment and uneasy tensions within the building. In January 2010, two Vietnamese immigrant students were chased by a group of non-Asian

25. Kristen A. Graham & Jeff Gammage, *Federal Complaint Expected on School Violence*, PHILA. INQUIRER, Dec. 12, 2009, available at <http://www.philly.com/philly/news/homepage/79116377.html>.

26. Public Statement by the Students of the SPSHS Boycott (Dec. 15, 2009) (unpublished manuscript available at <http://aaunited.org/campaigns/sphs/sphs-statements>).

students yelling “Are you afraid of us?” after school. As recently as March 2010, a Chinese immigrant student, who enrolled in SPHS after the December 3rd attacks, was harassed and injured by two non-Asian students as he was leaving the bathroom. Students and community advocates saw little or no action by the school district and the school to address the concerns raised by the boycotting students. Although additional security cameras had been installed in the school and the number of security guards increased, the school had not reached out to any of the students injured or attacked on December 3rd and offered no explanation for the actions of the adults that allowed the events of December 3rd to occur.²⁷ Moreover, the School District of Philadelphia did not fully acknowledge that the December 3rd attacks on Asian students were motivated by race and immigrant status.²⁸ In fact, on December 4th, school officials told reporters that they did not believe the attacks were racially motivated despite the fact that all of the victims had been Asian immigrant students.²⁹

Furthermore, a number of students and advocates felt that the District was retaliating against them for the boycott. Six days into the students’ boycott, the Superintendent held a press conference at SPHS and, standing before a group of students—none of whom were part of the boycott—stated that these were the “real face of South Philadelphia High.”³⁰ Additionally, school officials have referred to the ESOL program at SPHS as segregated³¹—a historically loaded term—with no regard for the historical efforts of community advocates who had fought years ago to address safety and pedagogical needs of immigrant students.³²

Nonetheless, propelled by the energy of the student boycott, students

27. Testimony of B.T. to Philadelphia School Reform Commission (Mar. 17, 2010) (unpublished manuscript on file with AALDEF).

28. Giles, *supra* note 2, at v (asserting, “Race and/or ethnicity were contributing factors to some degree in all the attacks on Asian students that occurred on December 3rd. There is, however, insufficient evidence to conclude that Asian students were attacked based solely on their immigrant status.”).

29. Teresa Masterson, *26 Asian Students Attacked at Philly High School*, NBCPHILADELPHIA.COM, Dec. 4, 2009, <http://www.nbcphiladelphia.com/news/local-beat/26-Asian-Students-Attacked-at-Philly-High-School-78528982.html> (last visited Mar. 23, 2010).

30. Graham & Gammage, *supra* note 25.

31. South Philadelphia High School’s ESOL program is housed on the second floor of the school building. In a public meeting with the Pennsylvania Human Relations Commission on January 5, 2010, Superintendent Arlene Ackerman described the ESOL program as “segregation.” Letter from Community Advocates to Stephen Glassman, Chair of the Pennsylvania Human Relations Commission (Jan. 23, 2010) (on file with AALDEF).

32. See, e.g., *Y.S. v. School District of Philadelphia*, No. 85-6924 (E.D. Pa. May 4, 1988) (consent decree continued by stipulation in 2001). *Y.S.* was a federal class action lawsuit brought by the Education Law Center of Pennsylvania in collaboration with Asian community advocates in 1985, and became a landmark case in which the School District, through a negotiated settlement, agreed to develop a plan to better meet the educational needs of Asian students who are not proficient in English. The ESOL and bilingual Chinese programs in SPHS were established as a result of the negotiated settlement in *Y.S.* Over twenty years later, the School District continues to remain under the remedial agreement of *Y.S.*

and community advocates continue to work to improve the climate at South Philadelphia High School. In the months following the boycott, students and community advocates have worked tirelessly, in the face of fierce resistance by the school and district, to ensure that the events of December 3rd are never repeated.³³

CONCLUSION

The events of December 3, 2009 brought to the forefront severe and rampant anti-Asian and anti-immigrant violence at South Philadelphia High School. The boycotting students demonstrated undeniable courage in the days and months following the assaults. Their eight-day boycott highlighted the egregious failure of the school and district to address the widespread anti-Asian and anti-immigrant violence that had been brought to their attention years before. Young people, with passion and a strong belief in justice, made sure that the adults—school and district officials who for so long had simply turned a blind eye to the widespread harassment—had to sit up and pay attention. The students' message, eloquently stated by one student leader, was: "We just want a safe environment to learn and make more friends. That's my dream, that's every American immigrant's dream."³⁴

33. As this article went to print, developments were ongoing. AALDEF, community advocates, and students continue to seek systemic changes to improve the climate at SPSHS.

34. Testimony of Wei Chen to Philadelphia School Reform Commission (Dec. 9, 2009) (on file with AALDEF).

