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**Investigation Report Regarding Tammy Carpenter's Social Media Posts**

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## I. INTRODUCTION AND OVERVIEW

In May 2025, the Beaverton School District ("District" or "BSD") Board of Education ("Board") received thirteen separate complaints about social media posts made by Board Member Tammy Carpenter. On June 2, 2025, the Board voted to retain a neutral investigator to investigate the complaints pursuant to [Board Policy KL/KL-AR – Public Complaints](#). The scope of the investigation is to conduct a fact-finding investigation, make factual findings, and apply the factual findings to District policy.

Dr. Carpenter has served as a Board member since July 1, 2023. She actively posts on her Instagram account, which is named "oregontammy." Dr. Carpenter's Instagram profile describes her as follows: "Doctor, mom, union enthusiast, Palestine stan, believer in better things are possible Beaverton School Board member. Anesthesiologist Views are my own." Prior to October 7, 2023, Dr. Carpenter posted about political issues on her Instagram account, including support for various unions, support for transgender medical care, and similar issues.

On October 7, 2023, Hamas launched an attack on Israel from the Gaza strip. Following the October 7, 2023, attack, Israel launched a military offensive on Gaza and this military offensive has been on-going. For the purposes of this report, I refer to this as the "Israeli/Gaza war."<sup>1</sup> Starting in late October 2023, Dr. Carpenter began posting about the Israeli/Gaza war and has posted regularly about this issue since that time. In these posts, Dr. Carpenter is highly critical of the Israeli and United States government policies in relation to the Israeli/Gaza war.

Complainants are parents, students, and members of the public (together referred to as "Complainants"). As described in the report, Complainants generally asserted that Dr. Carpenter's social media posts contributed to an antisemitic and unsafe environment in the District and violated board policy. In response, Dr. Carpenter asserted that she uses her social media platform to express her strong objection to the Israeli and United States government policies regarding the Israeli/Gaza war, that she denounces antisemitism, and that one of her obligations as a Board member is to ensure District policies effectively prevent antisemitism in BSD.

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<sup>1</sup> Given the complexity and sensitivity of this situation, I understand that any characterization of the Israeli/Gaza war is subject to dispute. For instance, some individuals may object to this characterization on the grounds that the war is not on Gaza, but on Hamas. Other individuals may object to this characterization on that grounds that what is occurring is not a war but a genocide. I use "Israeli/Gaza war" to reflect neutrality about the underlying political situation and to respect all perspectives.

This report contains the independent findings of the investigator. The District did not impose constraints on the fact-finding process and had no involvement in the findings. The factual findings in this investigation report are based on a preponderance of the evidence standard, which requires a determination that it is more likely than not that a specific fact occurred. The investigation report does not include determinations as to whether there were violations of the law. This report concludes by applying the factual findings to relevant District policies.<sup>2</sup>

## **II. INTERVIEWS CONDUCTED AND EVIDENCE REVIEWED**

Two of the thirteen complaints were submitted anonymously. All identified Complainants were given the opportunity for an interview. Three complainants agreed to an interview. Dr. Carpenter also participated in an interview.

Documentary exhibits are listed below and provided in conjunction with this report. For the purposes of this investigation, I reviewed Dr. Carpenter's "oregontammy" Instagram account. Other evidence received and reviewed but not used as exhibits is maintained in the investigator's files.

## **III. RELEVANT POLICIES**

### **A. Policies regarding non-discrimination**

District policies broadly prohibit discrimination in the District's educational programs.

[Policy AC – Nondiscrimination](#) prohibits discrimination on “any basis protected by law, including but not limited to\*\*\* religion [and] national or ethnic origin.” Policy AC provides that “[t]he district prohibits discrimination and harassment in, but not limited to, employment, assignment and promotion of personnel; educational opportunities and services offered students; student assignment to schools and classes; student discipline; location and use of facilities; educational offerings and materials; and accommodating the public at public meetings.”

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<sup>2</sup> This investigation is limited to a determination of whether Dr. Carpenter's social media posts violated any District policy. The investigation does not include whether Dr. Carpenter's social media posts were generally antisemitic, or whether her posts regarding the Israeli/Gaza war were factually accurate.

[Policy ACB - Every Student Belongs - Hate Symbols and Bias Incidents](#) establishes that

The district prohibits the use or display of any symbols of hate on district property or an education program, except where used in teaching curriculum that is aligned with state standards of education for public schools.

For the purposes of this policy, the following definitions will apply:

“Bias incident” means a person’s hostile expression of animus toward another person, relating to the other person’s perceived race, color, religion, sexual orientation, gender identity, disability, or national origin, of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior directed at or about any of the preceding demographic groups. This applies to in-person, hybrid, or distance learning environments.

“Symbol of hate” means nooses, symbols of neo-Nazi ideology, or the battle flag of the Confederacy. For the purpose of this policy, it also includes any symbol, image, or object that expresses animus on the basis of race, color, religion, sexual orientation, gender identity, disability, or national origin, whose display: Is reasonably likely to cause a substantial disruption of or material interference with school activities; or Is reasonably likely to interfere with the rights of students by denying them full access to the services, activities, and opportunities offered by a school.

[Policy JFCF/AR - Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence or Domestic Violence – Students](#) provides that “Hazing, harassment, intimidation menacing, bullying and cyberbullying by students, staff, or third parties towards students is strictly prohibited.” Policy JFCF establishes the following relevant definitions:

“Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, or others engaged in district business.

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance that takes place on or immediately adjacent to district grounds, at any district-sponsored activity, or district-approved transportation, or at any official district bus stop, that may be based on, but not limited to, the protected class status of a person, having the effect of:

1. Physically harming a student or damaging a student's property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or
3. Creating a hostile educational environment including interfering with the psychological well-being of the student.

**B. Policies and agreements regarding Board member roles and expectations**

District policies and the Board's Operating Agreements establish that Board members must identify their opinions as their own and address the expected standards of conduct for Board members.

[Policy BBAA - Individual Board Member's Authority and Responsibility](#) provides that “[a] Board member has the right to express personal opinions. When expressing such opinions in public, the Board member must clearly identify the opinions as their own.”

[Policy BBF – Board Member Standards of Conduct](#) reiterates that “When a board member expresses a personal opinion in public, the board member should clearly identify the opinions as personal.” Policy BBF also provides that “Board members will treat other board members, the superintendent, staff and the public with dignity and courtesy and will provide an opportunity for all parties to be heard with due respect for their opinions.” Policy BBF states, “A board member will utilize social media websites judiciously by not posting confidential information about students, staff or district business. Board members will treat fellow board members, staff, students and the public with respect while posting online or to social media.”

The Operating Agreements provide that:

- "The board will serve as a model for positive and constructive public dialogue by communicating in a polite and respectful manner to and about fellow board members, staff, students and the public."
- "Board members will utilize social media websites judiciously and will not denigrate the district, district staff or fellow board members, nor post confidential information about students, staff or district business."

Ex. 1 .

#### **IV. REVIEW OF EVIDENCE**

##### **A. Review of Dr. Carpenter's Social Media Posts**

###### **1. Posts not related to the Israeli/Gaza war**

Dr. Carpenter's Instagram account has approximately 800 followers as of the date of this report. Her account is public, which means followers do not need to request access to view her posts. She posts about a variety of issues on her Instagram feed,<sup>3</sup> including the following:

- General Board-related issues, such as a May 28, 2025, post regarding the District's budget committee (Ex. 2); April 7, 2025, post regarding federal funding for school districts (Ex. 3); February 16, 2025, post regarding a Board meeting update about undocumented students and families (Ex. 4); February 9, 2025, post regarding transgender and non-binary students and staff (Ex. 5); January 29, 2025, post regarding the District and the Beaverton Education Association reaching a tentative agreement (Ex. 6); December 12, 2024, post regarding bond funding (Ex. 7); December 9, 2024, post about a Board work session on the school resource officer program (Ex. 8); October 5, 2024, post regarding the role of the Board in bargaining (Ex. 9); September 6, 2024, post about school attendance and absenteeism (Ex. 10); August 16, 2024, post regarding the Raleigh Hills Elementary School rebuilding process (Ex. 11); and a November 26, 2023, post regarding the bell schedule (Ex. 12).
- Posts about political issues not related to the District or the Israeli/Gaza war, such as a June 24, 2025, post regarding legislation about drone surveillance (Ex. 13); April 25, 2025, post about cuts to the Women's Health Care Initiative (Ex. 14); and a January 15, 2025, post regarding the Providence nurses strike (Ex. 15).
- Posts about Dr. Carpenter's personal social activities, such as a June 23, 2025, post about attending a concert (Ex. 16), and a December 22, 2024, post about attending the theater (Ex. 17).

###### **2. Posts related to the Israeli/Gaza war**

Since October 2023, Dr. Carpenter has posted regularly about the Israeli/Gaza war.

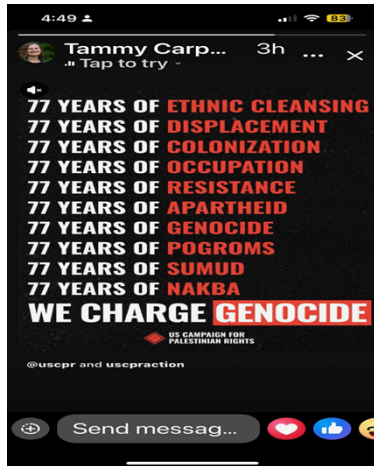
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<sup>3</sup> Instagram accounts include both "feed," which are posts that remain permanently on the account unless removed, and "stories" which are posts that are temporary in nature and disappear after 24 hours.

a. **Posts related to the Israeli/Gaza war submitted by Complainants**

Complainants submitted screenshots of a number of posts on Dr. Carpenter's feed and/or story that concerned them. The following are examples of the posts that Complainants submitted (larger versions of these posts are included in the exhibits):

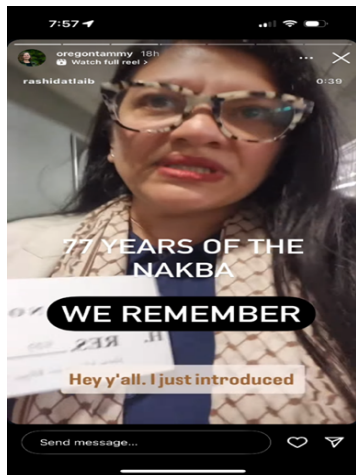
- Posted to Dr. Carpenter's story on May 14, 2025 :



Ex. 18

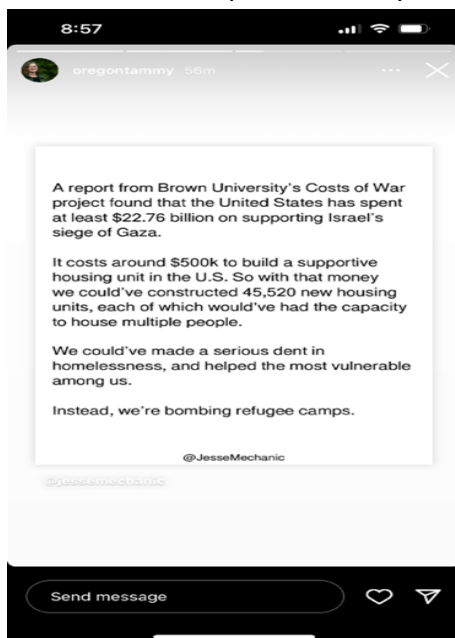


- Posted to Dr. Carpenter's story on May 14, 2025:



Ex. 19

- Posted to Dr. Carpenter's story on October 16, 2024:



- Ex. 20

- Posted to Dr. Carpenter's feed on November 22, 2023:



Ex. 21

- Posted to Dr. Carpenter's feed on November 8, 2023:



Ex. 22

- Posted to Dr. Carpenter's feed on November 5, 2023:



Ex. 23

**b. Posts addressing antisemitism and the October 7, 2023, attack**

Some Complainants asserted that Dr. Carpenter did not object to antisemitism or condemn the October 7, 2023, attack in her social media posts. This is incorrect:

- In her June 3, 2025,<sup>4</sup> post (which was the day following the Board meeting at which the Board voted to approve this investigation), Dr. Carpenter's post is of her making a statement that includes the following,

But as far as last night, I really feel deep gratitude to folks who showed up and in support of me. Just feel overwhelmed. Thank you. And I also want to acknowledge the 20 or so folks who were there last night who are deeply unhappy with me. And uhm I want to figure out how we can move forward. We heard last night from a Jewish student in the district who expresses feeling unwelcome in our schools and that's not okay. His belief that criticism of the state of Israel is antisemitic is real for him and we need to figure out how he and other students can feel safe and feel like they belong in our schools. I also want to say I've met with Palestinian families that also feel unseen and sometimes a little unsafe. I met with a family a couple weeks ago. The dad has lost 10 family members in this assault on Gaza and mom has lost more than 60 and three kids in the district. And those kids also deserve to feel safe and feel like they belong.

Ex. 24.

- In that same June 3, 2025, post, Dr. Carpenter stated, "And I also want to acknowledge that we can't lose focus while we're asking to stop sending weapons of war to Israel. We want the return of all of the hostages that Hamas is holding. We want a release of all of the political prisoners being held by Israel." Ex. 24.
- In her June 20, 2024, post about the Israeli/Gaza war, Dr. Carpenter included a comment that stated "I continue to meet with people in our community that are harmed by the violence in Israel and Palestine - families harmed on October 7th, and families that mourn hundreds lost since with hundreds more still at risk." Ex. 25.
- In her January 11, 2024, post, Dr. Carpenter includes a comment that stated "This conflict is not just an 'over there' situation. It is impacting families right here in Beaverton from losing family members in the conflict to the rise in Islamophobia and

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<sup>4</sup> This post was made after the date of the complaints, but it is relevant to the concerns raised in the complaints.

antisemitism. A ceasefire can't come soon enough. I hope you'll join me in calling for a #ceasefirenow." Ex. 26 .

- In her November 22, 2023, post, Dr. Carpenter includes a comment that stated, "And for those of you wondering - I condemn the attack by Hamas on Oct 7 and am hopeful that hostages on each side are returned safely and soon." Ex. 21

### **3. Post of Dr. Carpenter's June 23, 2025, interview with K-BOO Radio**

After the submission of the initial complaints, Complainants raised subsequent concerns about Dr. Carpenter's June 29, 2025, post in which she includes a June 23, 2025, interview with her on K-BOO radio. Ex. 27.

In the K-BOO interview, Dr. Carpenter stated,

[S]ince October of 2023, I have continued to stand with humanitarians across the metro area, across the region, across the world to demand an end to what all respected experts in the field now call a genocide. And you use the phrase hateful rhetoric and I think that was part of the formal complaint. Um, what is hateful rhetoric to me is the Israeli government calling the people of Gaza human animals. What is hateful rhetoric to me is the government of Israel promising to level Gaza. What is hateful rhetoric to me is slandering the people who are standing against the genocide as antisemitic. So that's how I've been showing up on social media. But I also do want to push back on the idea that the students in our district feel quote unsafe with my humanitarian stance. And I know that's a word that is used a lot. But what I believe they feel is uncomfortable. Uncomfortable with the dissonance between the horror that they see on their own phone that is inconsistent with the hasbara<sup>5</sup> that they've been taught their entire lives.

Ex. 27.

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<sup>5</sup> There are various interpretations of the word "hasbara." [Wikipedia](#) provides the following summary: "'Hasbara' generally refers to the public diplomacy of Israel, or hasbara (Hebrew: הַסְבָּרָה), includes mass communication and individual interaction with foreign nationals through social and traditional media, as well as cultural diplomacy. Organizations involved include the IDF Spokesperson's Unit, Prime Minister's Office, Ministry of Foreign Affairs, and pro-Israeli civil society organizations."

In the K-BOO interview, Dr. Carpenter also stated,

And that isn't to say that antisemitism isn't on the rise. I think we all know that it clearly is. But I believe it is on the rise because of the continued support of the genocide by our government. Um and that the violence that has taken place against our Jewish neighbors here in the US has been stochastic terrorism. Political violence directed at the Jews for their perceived complicity in the violence in Palestine and because I want our Jewish friends and neighbors to be safe, because I want our Palestinian and Muslim friends and neighbors to be safe, I am working, along with so many others, to end US support for this genocide.

Ex. 27.

## **B. Impact of Dr. Carpenter's Social Media Posts on Complainants**

The Complainants expressed genuine and heartfelt concern about antisemitism generally and in the District specifically and raised concerns that Dr. Carpenter's posts contributed to an environment in which antisemitism is tolerated or even encouraged. Complainants expressed deep fear about the increase in antisemitic violence across the country, including the May 21, 2025, shootings in Washington, D.C., and the June 1, 2025, bombing in Boulder, Colorado.

### **1. General allegations that Dr. Carpenter's posts are antisemitic**

Complainants asserted that Dr. Carpenter's posts are antisemitic in nature and deeply offensive. Following are examples of Complainants' concerns.

- A complaint stated, "Yesterday, the day after the 77th anniversary of the Israel's founding, celebrating the ancestral homeland of the Jewish people, she posted a disgustingly offensive and antisemitic message on Instagram. In it she falsely accused Israel of genocide, colonization, apartheid, and pogroms and used the Arabic term 'nakba,' or catastrophe to describe the establishment of the world's only Jewish state." Ex. 28.
- A complaint stated, "The day after the tragic shooting in Washington, D.C. [in which two young Israeli embassy staffers were shot and killed leaving an event hosted by the American Jewish Committee], Tammy Carpenter continued to post about Gaza, not once acknowledging or condemning the shooting. One of the posts includes the headline: 'Experts Agree: Gaza is a Genocide'." Ex. 29.
- In an interview, a complainant stated that at the June 2, 2025, rally in support of Dr. Carpenter, one attendee was recorded as saying "I am Hamas," and then,

referencing the crowd of supporters, "we are all Hamas." The complainant noted that Dr. Carpenter thanked her supporters at the rally but never made a public comment about the attendee who stated, "I am Hamas; we are all Hamas." The complainant also noted that Dr. Carpenter does not post about other international geopolitical conflicts, such as Pakistan, Russia, or Ukraine. This complainant asserted that many of Dr. Carpenter reposts related to the Israeli/Gaza war are from content creators who do not believe that Israeli has the right to exist. This complainant also asserted that some of Dr. Carpenter's posts are factually inaccurate, such as a post about a bombing of a hospital in Gaza or a post asserting that it is Israel's goal to attack civilians.

- Another complainant similarly asserted that Dr. Carpenter's posts contain factual inaccuracies about the Israeli/Gaza war, such as whether Israeli targeted hospitals or whether the Israeli government was targeting Palestinian civilians as opposed to Hamas operatives.
- One complaint referred to Dr. Carpenter a "jew hater" and asked "would you allow anyone who supports Hitler or the KKK on your board?" Ex. 30.

## **2. Allegations that Dr. Carpenter's posts negatively impacted District students and/or violated District policy**

Complainants asserted that Dr. Carpenter's posts impacted the District schools and students and contributed to antisemitism and safety concerns in violation of District policy. However, none of the Complainants asserted that Dr. Carpenter directly targeted any specific Jewish or Israeli Beaverton student in her posts or tied her posts to any specific act of antisemitism or other discrimination in BSD.

Following are examples of Complainants' concerns:

- A complaint asserted, "Tammy Carpenter's social media posts are in direct violation of the Board Member Standards of Conduct. Further, her social media content conflicts with her role as a school board member which is to represent and respect all students and families within the Beaverton School District. Inflammatory, inaccurate, and biased content from a board member serves only to divide our community, increase antisemitic incidents, and potentially incite violence. The vitriolic nature of her social media content and her own personal activism has increased and intensified - it threatens the safety of Jewish students and their families." Ex. 29.
- A complaint stated, "Carpenter's activism and hateful rhetoric create a hostile climate in BSD. They make Jewish families and students, especially those who are Israeli-born, feel marginalized, alienated, and unsafe. It sends a message to students that it is acceptable

to mistreat their Jewish peers." Ex. 28. Another complaint similarly stated that that Dr. Carpenter's posts are antisemitic and are "offensive to the Jewish community and it's not appropriate. It makes us feel unsafe and damaging the relationship with the school board." Ex. 31.

- A complaint stated, "School Board member [C]arpenter in direct contradiction of School Board policy, espouses hate and discrimination against Jewish students. While she can have her public views, they are wrongly being invoked into her board work, by the promotion of a curriculum that also promotes and espouses hate and discrimination against Jews. Her personal social media reflects the hate towards Jews she is attempting to bring into the BSD curriculum." Ex. 32.
- A complaint includes a picture of Dr. Carpenter's social media post on November 5, 2023, in which she posts a picture of herself at a rally behind a Jewish Voice for Peace banner, and includes a comment from Dr. Carpenter that "when people are occupied, Resistance is justified." The complainant stated, "I see in the attached picture that the school board member shared and in its header, '...Resistance is justified', written by her (by the way, she's the third person from the left in this picture), a literal permit for my kids' bloodshed. As we have already seen, it was taken as a call for physically harmful actions against Jews in multiple places in US cities." Ex. 33
- In an interview, one complainant who is a parent of students in the District described the fear of antisemitic violence her children experience. She described going to religious services with security and protesters and feeling the need to discourage her children from displaying a Jewish star. This complainant stated, "I don't take issue with [Dr. Carpenter's] point of view with the Israeli government or the war in Gaza. What I do take issue with is that she is using her post to promote antisemitism. She has not denounced antisemitism. She has not acknowledged the attack on Israel or that there are hostages. She didn't acknowledge the killings in Washington or Boulder."
- This same complainant also spoke to her concerns about antisemitism in District schools and the connection she sees to Dr. Carpenter's social media posts: "Our kids see swastikas and Nazi salutes in the school. We believe her posts incite antisemitism and we are worried that it could bring violence into our schools. It makes us feel unwanted and unsafe." The complainant explained, "In these violent events that have happened across the country, perpetrators are saying 'free Palestine' and 'Zionist' when they commit violence against Jews. She is using 'free Palestine' in her hashtag. 'Free Palestine' is inciting violence and could lead to violence at Beaverton Public Schools. At



the very least, it can lead to antisemitism and doesn't make Jewish families feel like they are welcome in Beaverton Public Schools."

- In an interview, one complainant stated that as Dr. Carpenter "is more and more targeting Jewish kids, it's more worrisome. The focus on an international geopolitical issue has no place in the Board or in policy. Same as if it is Ukraine or somewhere else. It's not the Board's issue." This complainant reiterated, "There are too many divisive issues and no reason to bring them into the District. We need to focus on the common welfare of all of our kids. While I am serving on the Beaverton School Board, my opinion on geopolitical issues ought not be known." When asked how Dr. Carpenter was bringing this issue into the District, the complainant explained, "It bleeds in by families who follow her on social media who feel the same way and target Jewish and Israeli kids in our district. She has brought this geopolitical issue into the district because we are discussing this right now in this conversation. We would not be here right now if she made the better choice to serve all students." This complainant acknowledged that "Of course she isn't doing social media that directly targets Jewish students or other people at Beaverton schools. But the conflict and her rhetoric is about destroying a nation based on religion."

Some of the Complainants addressed the issue of freedom of expression, and that Dr. Carpenter is entitled to free speech. One complainant stated in her interview, "The concern I have is the counter argument of freedom of speech. I hope that it is made clear the difference between freedom of speech and an attack on one demographic." Other Complainants state that they understand that Dr. Carpenter has freedom of speech rights, but that they felt that her posts violated her role as a Board member or created an unsafe environment as described above.

### **C. Dr. Carpenter's Response to Allegations Regarding Her Social Media Posts**

Dr. Carpenter explained that her "oregontammy" Instagram account blends political and personal posts but is primarily political, including in her role as a Board member. Dr. Carpenter does not have a social media account that is solely dedicated to her Board role. According to Dr. Carpenter, she often reposted content about the Israeli/Gaza war because others have more detailed knowledge than she does.

Dr. Carpenter strongly disagreed that her social media posts demonstrate antisemitism or contribute to an unsafe environment in BSD. Rather, Dr. Carpenter asserted that her posts are "about ending the wholesale slaughter of the people in Gaza. I have been using my platform in calling for electeds to stand against the complicity of arming Israel and using those arms to

slaughter innocent people." She continued, "And I do care very much about the wellbeing of students in our schools. Ending genocide has been very important to me given that I have a platform. And I can tie this to our community. And I am not alone in trying to amplify this. I am coming from a place of deep humanitarian belief that we need to do everything we can to help people."

Dr. Carpenter stated that she is deeply opposed to antisemitism, and that the Board has a clear role in preventing and addressing antisemitism: "Hate of any kind is wrong. We have worked as a board to support our students who are experiencing antisemitism and to have responses that will end that behavior." Dr. Carpenter stated that she is aware that at least one of the complaints was from a student and that another student testified to the Board about his experience with antisemitism in BSD. According to Dr. Carpenter, "That is unacceptable. As a board we need to work to end behavior that is causing that student and all students to experience antisemitism."

Dr. Carpenter disagreed that her social media posts contribute to antisemitism in BSD.

Dr. Carpenter stated that no Jewish or Israeli family had raised concerns with her about her social media posts before the current complaints, despite the fact that she has been posting about the Israeli/Gaza war since October 2023. Dr. Carpenter also stated, "I have talked about the impact on the students, staff and community, both Jewish and Muslim. I call out both sides that are impacted. I have done a post where I have said the Hamas attack is terrible."

Some Complainants asserted that the Israeli/Gaza war was not relevant to District business and that Dr. Carpenter should not be posting about it. Dr. Carpenter asserted that the Israeli/Gaza war has a direct and immediate impact on Beaverton families. Dr. Carpenter described meeting with one Palestinian family in Beaverton and learning that the mother had lost sixty family members and the father had lost ten family members in the Israeli/Gaza war.

In regard to the K-BOO interview," Dr. Carpenter explained,

I believe there are many people who feel unsafe in our community. There are people who are uncomfortable with me talking about [the Israeli/Gaza war]. There is antisemitism. That is real and there is physical violence against Jewish people in our country. I believe what they are feeling about me is uncomfortable about the link between the antisemitism and the violence perpetrated by the government of Israeli. I believe that the antisemitism and Gaza are connected.

When asked about the section of the Operating Agreements that provides, "Board members will utilize social media websites judiciously," Dr. Carpenter stated that that phrase is vague and she is not clear what it means. Dr. Carpenter stated that she believes she is in compliance with

the reminder of that provision of the Operating Agreements that state Board members "will not denigrate the district, district staff or fellow board members, nor post confidential information about students, staff or district business."

#### **D. Requested Remedy**

As a remedy, several Complainants asked for Dr. Carpenter to be removed from the Board. Ex 30-31, 34-40. One complainant requested that the Board "publicly condemn" Dr. Carpenter's behavior and "ensure that board members uphold standards of respect, inclusivity, and non-discrimination." Ex. 37. Another complainant asked that Dr. Carpenter "publicly apologize and agree to meet with Jewish parents and teachers to hear their legitimate concerns." Ex. 28. Another complainant asked that Dr. Carpenter remove "Antisemitic or Anti-Israeli posts." Ex. 39.<sup>6</sup>

Dr. Carpenter stated that she has met with every parent, family member, or community member who has asked to talk to her and is happy to continue doing so at any time. Dr. Carpenter noted that she has declined to meet with representatives of the Jewish Federation because she is aware of another situation in which an elected official met with a representative of the Jewish Federation and the meeting was hostile and not constructive.

#### **V. FACTUAL FINDINGS**

Based on the preponderance of the evidence standard, I make the following factual findings:

- Dr. Carpenter regularly posted on her "oregontammy" Instagram account about a variety of political, district-related, and personal matters.
- Dr. Carpenter's Instagram profile identifies herself as a "Beaverton School Board member" and states "views are my own."
- Since late October 2023, Dr. Carpenter has regularly posted about the Israeli/Gaza war and these posts are highly critical of the Israeli government's policies regarding the Israeli/Gaza war and the United States government's support of Israel.

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<sup>6</sup> One complainant asked the Board to "1. Remove this conflict from the school environment. If it can't be addressed objectively without fueling division, it has no place in the classroom. 2. Present it with full context and responsibility. If you choose to address the Israeli-Palestinian conflict, do it thoroughly and honestly." Ex. 41. This requested remedy appears to relate to instruction and curriculum about the Israeli/Gaza war. That issue is beyond the scope of this investigation.

- In her social media posts, Dr. Carpenter has criticized Hamas and the October 7, 2023, attacks and called for the return of the Israeli hostages.
- In her social media posts, Dr. Carpenter has condemned and called for an end to antisemitism both generally and within BSD.
- Dr. Carpenter sincerely asserted that her social media posts regarding the Israeli/Gaza war are motivated by her deep humanitarian concern regarding the impact of the Israeli/Gaza war on the people of Gaza.
- Complainants are deeply offended and distressed by Dr. Carpenter's posts regarding the Israeli/Gaza war, including her use of words and phrases such as referring to the Israeli/Gaza war as a "genocide" or using the phrase "Nakba" in relation to the founding of the state of Israeli.
- Complainants are very concerned about the rise in antisemitism across the country and the increasing number of violent antisemitic attacks.
- Complainants have concerns about antisemitism in District schools and stated that they have reported incidents of antisemitism to the District.
- Complainants sincerely believe that Dr. Carpenter's posts contribute to antisemitism in general and specifically within District schools.
- Complainants provided no evidence that linked Dr. Carpenter's posts with any incident of antisemitism in District schools, or any other act that created an unsafe or hostile educational environment for a BSD student.
- None of Dr. Carpenter's posts regarding the Israeli/Gaza war directly targeted Beaverton students.
- None of Dr. Carpenter's posts expressed hostility or use derogatory language in relation to a BSD student or otherwise denigrate a BSD student.

## **VI. DISCUSSION**

This investigation sits at the intersection of one of the most difficult political issues of our time. Many educational institutions are faced with the challenge of both protecting free expression while ensuring an environment free of discrimination, harassment, and bias. Complainants are sincerely and understandably deeply concerned about the rise in antisemitism both across the country and, as they reported, in BSD, and they believe that Dr. Carpenter's social media posts have contributed to this antisemitism. Complainants recognized that there are broad legal protections for free expression but asserted that Dr. Carpenter's social media posts about the Israeli/Gaza war are outside the scope of her duties as a Board member and make Jewish and Israeli families and students feel unwelcome or unsafe in the District. For her part, Dr. Carpenter asserted passionately that it is her humanitarian duty to advocate for an end to the policies of the Israeli and United States governments regarding the Israeli/Gaza war, which she

believes has an international and local impact. At the same time, Dr. Carpenter condemns antisemitism both generally and within BSD.

As noted above, this investigation does not include legal findings, but a brief overview of the relevant law is instructive. Free expression, including speech that some may experience as deeply offensive, is strongly protected under both federal and state law. The United States Supreme Court has held that "the proudest boast of our free speech jurisprudence is that we protect the freedom to express 'the thought that we hate,'" *Matal v. Tam*, 582 U.S. 218, 246, 137 S. Ct. 1744, 1764 (2017), and that "the First Amendment protects an individual's right to speak his mind regardless of whether the government considers his speech sensible and well intentioned or deeply misguided, and likely to cause anguish or incalculable grief." *303 Creative LLC v. Elenis*, 600 U.S. 570, 586, 143 S. Ct. 2298, 2312 (2023).

According to the Complainants, the fact that Dr. Carpenter is a board member gives her speech enhanced influence and thus exacerbates the consequences of her speech. But the speech of elected officials is especially protected under the First Amendment. "The manifest function of the First Amendment in a representative government requires that legislators be given the widest latitude to express their views on issues of policy. The central commitment of the First Amendment, as summarized in the opinion of the Court in *New York Times v. Sullivan*, 376 U.S. 254, 270 (1964), is that 'debate on public issues should be uninhibited, robust, and wide-open.'" *Bond v. Floyd*, 385 U.S. 116, 135–36, 87 S. Ct. 339, 349 (1966).

Speech that constitutes harassment or creates a hostile educational environment is not protected, but there must be some causal connection between the speech and the harassment or hostile environment. The fact that speech causes deep offense or concern is insufficient to constitute harassment. Here, the Complainants assert that Dr. Carpenter's social media posts contribute or give license to antisemitism in BSD but provide no specific examples of how that has occurred. Interpreting the District's anti-discrimination policies to prohibit speech by elected officials that is critical of domestic and foreign political policy would very likely run afoul of the First Amendment. If sharp, even offensive, criticism of the Israeli and United States governments on social media were found, standing alone, to violate District policy, the consequence would be that potentially any district employee, not just board members, would be precluded from such speech. That would undoubtedly run afoul of the First Amendment and Oregon constitution.

## **VII. APPLICATION OF FACTUAL FINDINGS TO DISTRICT POLICY**

### **A. Policies prohibiting discrimination and harassment**

As indicated above, several District policies prohibit discrimination and harassment in BSD. In applying the factual findings to these policies, there is no evidence that Dr. Carpenter violated District policy.

Policy AC (Nondiscrimination) prohibits discrimination on the basis of religion and national or ethnic origin. There is no evidence that Dr. Carpenter's social media posts caused or constituted discrimination against any BSD student. While Complainants are understandably concerned and fearful about the rise in antisemitism, there is no evidence that Dr. Carpenter's social media posts violated the prohibition against discrimination.

Policy ACB (Hate Symbols and Bias Incidents) prohibits hate symbols and bias incidents. There is no evidence that Dr. Carpenter displayed hate symbols on her social media account or that her social media posts constituted a "bias incident."<sup>7</sup> While Dr. Carpenter's social media posts strongly condemned the policies of the Israeli and United States governments in the Israeli/Gaza war, and called for resistance to these policies, these social media posts do not constitute "derogatory language or behavior directed at" any District student based on a protected category.

Policy JFCF (Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence or Domestic Violence – Students) prohibits harassment.<sup>8</sup> There is no evidence that Dr. Carpenter's social media posts constituted harassment under District policy. While Complainants asserted that posts such as Dr. Carpenter's contribute generally to the rise in

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<sup>7</sup> As described above, the policy describes a "bias incident" as a "hostile expression of animus toward another person, relating to the other person's perceived race, color, religion, sexual orientation, gender identity, disability, or national origin, of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior directed at or about any of the preceding demographic groups."

<sup>8</sup> The policy defines "harassment" as "any act that substantially interferes with a student's educational benefits, opportunities or performance that takes place on or immediately adjacent to district grounds, at any district-sponsored activity, or district-approved transportation, or at any official district bus stop, that may be based on, but not limited to, the protected class status of a person, having the effect of: (1) Physically harming a student or damaging a student's property; (2) Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or (3) Creating a hostile educational environment including interfering with the psychological well-being of the student."

antisemitism, and thus created a hostile environment, there is no specific evidence of a connection between Dr. Carpenter's social media posts and instances of antisemitism in BSD.

**B. Policies and agreements regarding Board member roles and expectations**

As indicated above, District policies and the Board's Operating Agreements establish that Board members must identify their opinions as their own and also establish the expected standards of conduct for Board members.

Policies BBAA (Individual Board Member's Authority and Responsibility), BBF (Board Member Standards of Conduct), and the Operating Agreements provide that Board members have the right to express their own opinions and that they must clearly identify such opinions as their own. Dr. Carpenter's "oregontammy" Instagram profile states, "views are my own." There is no evidence that Dr. Carpenter has violated these requirements of Policy BBAA or BBF or of the Operating Agreements.

Policy BBF states that "Board members will treat fellow board members, staff, students and the public with respect while posting online or to social media." As indicated above, while Complainants strongly object to Dr. Carpenter's posts, Dr. Carpenter's posts do not call out any specific board member, staff, student, or member of the public in relation to the Israeli/Gaza war. There is no evidence that Dr. Carpenter violated the requirements of BBF.

Similarly, the Operating Agreements provide that "Board members will utilize social media websites judiciously and will not denigrate the district, district staff or fellow board members, nor post confidential information about students, staff or district business." There is no evidence that Dr. Carpenter's posts about the Israeli/Gaza war denigrated the district or any individual.