
Office for Civil Rights Discrimination Complaint Form: Submission #740939

1. Enter information about yourself

First Name:

Last Name:

Address:

City:

State:

Zip Code:

Best Time to Call You: Day

Primary Phone Number:

Alternative Phone Number: {Empty}

Your Email Address:

2. Who else can we call if we cannot reach you?

Contact's Name: {Empty}

Daytime Phone Number: {Empty}

Relationship to you: {Empty}

3. Who was discriminated against?

Yourself or Someone else Myself?

If someone other than yourself please include:

Injured Person's Name: {Empty}

Daytime Phone Number: {Empty}

Evening Phone Number: {Empty}

Relationship to You
(eg. son or daughter) {Empty}

Injured Person's Address: {Empty}

City: {Empty}

State: {Empty}

Zip Code: {Empty}

4. What institution discriminated?

Institution Name: California State University, Sacramento

Address: 6000 J St.

City: Sacramento

State: California

Zip Code: 95819

School or department involved: {Empty}

5. Have you tried to resolve the complaint through the institution's grievance process, due process hearing, or with another agency?

Have you tried to resolve the complaint? No

6. Describe the discrimination

OCR enforces regulations that prohibit discrimination on the basis of race, color, national origin; sex; disability; and/or age.

(You may select more than one.)

On what basis were you discriminated against? national origin

In the space provided below please describe each discriminatory action separately. For each action, you need to provide the following information: During a Sac State sanctioned gathering, a group of Pro-Palestine students were flying a flag that read "From the River to the Sea". This is a mantra of a known terrorist organization, Hamas, and it means they wish to wipe out or kill all Jews from the Jordan river to the Mediterranean sea in Israel.

(b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C)

Do you have written information that you think will help us understand your complaint?

yes or no No

7. Your complaint must be filed within 180 days of the discriminatory action

The laws that we enforce require that complaints be filed with our office within 180 days of the alleged discriminatory event. If any of the alleged discriminatory actions took place more than 180 days before the postmark or receipt date of this complaint, you may request a waiver of the 180-day limit. When did the last act of discrimination occur?

When did the last act of discrimination occur?

Enter the date: (b)(6); (b)(7)(A); (b)(7)(C) - 00:00

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than

180 days before the filing of this complaint?

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

yes or no No

Reason for not filing complaint before 180 days: {Empty}

8. What would you like the institution to do as a result of your complaint?

What remedy are you seeking? I would like the college to issue a public statement saying they do not support the killing of all Jewish people in that region and immediately remove the group of protestors
(b)(6); (b)(7)(A); (b)(7)(C) They have not created a safe space for all people and have instead promoted genocidal slogans.

I will also be seeking civil damages for emotional distress if the university does not take these simple actions.

9. Option to Participate in OCR's Early Mediation Process

I am interested in participating in early mediation: No



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

REGION IX
CALIFORNIA

50 UNITED NATIONS PLAZA
MAIL BOX 1200, ROOM 1545
SAN FRANCISCO, CA 94102

July 10, 2024

Via e-mail only to: president@csus.edu

Luke Wood, President
California State University, Sacramento
6000 J Street
Sacramento, CA 95819

Re: California State University, Sacramento – OCR Case Number 09-24-2349

Response required by July 24, 2024

Dear Dr. Wood:

On May 2, 2024, the U.S. Department of Education (the Department), Office for Civil Rights (OCR), received a complaint against California State University, Sacramento (the University). The complaint alleged that the University discriminated against students on the basis of national origin (shared Jewish ancestry) by failing to respond to alleged harassment of Jewish students during a University-sanctioned gathering on May 2, 2024.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d *et seq.*, and its implementing regulations at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin by recipients of federal financial assistance. As a recipient of federal financial assistance from the Department, the University is subject to Title VI.

OCR will investigate the following issue: Whether the University failed to respond in a manner consistent with the requirements of Title VI to alleged harassment of students based on national origin (shared Jewish ancestry) during a University-sanctioned gathering on May 2, 2024.

Please note that opening an investigation in no way implies that OCR has made a determination with regard to its merits. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the complainant, the recipient, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient as required by OCR's [Case Processing Manual \(CPM\) \(July 18, 2022\)](#). Please open this link for additional information about [OCR's Complaint Processing Procedures](#). OCR also would like to make you aware that individuals who file complaints with OCR may have the right to file a private suit in federal court whether or not OCR finds a violation.

OCR may close this complaint prior to making formal findings of compliance or non-compliance, provided that the circumstances or information gathered establishes an administrative or other basis for resolution in accordance with the CPM. For example, if the University expresses an interest in resolving the complaint and OCR determines that resolution

of the complaint prior to the completion of the investigation is appropriate, OCR may attempt to negotiate an agreement with the University pursuant to Section 302 of the CPM.

To reach an efficient and timely resolution of this matter, OCR is providing you an opportunity to present the University's response to these allegations and to submit supporting documentation. Please provide the information described in the attached data request by the date indicated at the top of this letter. OCR has determined that the information itemized in the attached data request is necessary to investigate the allegations. The regulations implementing Title VI, at 34 C.F.R. §§ 100.6(b) and (c), require that a recipient of federal financial assistance make available to OCR information that may be pertinent to reaching a compliance determination. Pursuant to 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii), of the regulations implementing the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, OCR may review personally identifiable records without regard to considerations of privacy or confidentiality. OCR will take all proper precautions to protect the identity of any individuals named in the documents.

Please be advised that the University must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint with OCR.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

On receipt of this letter, please contact Sara Mahdavi of OCR San Francisco at Sara.Mahdavi@ed.gov with the name, title, e-mail, and telephone number of the person you designate to be the University's primary point of contact for the investigation of this complaint. Your cooperation is appreciated. If you have any questions, please contact Sara Mahdavi.

Sincerely,

(b)(6); (b)(7)(A); (b)(7)(C)

James Wood
Team Leader

Enclosure

U.S. Department of Education - Office for Civil Rights, San Francisco
Initial Data Request
California State University, Sacramento
OCR Docket No. 09-24-2349

OCR requests that this information reach our office by **July 24, 2024**. If any of the required items are available to the public on the Internet, you may provide the website address. While OCR prefers electronic submissions, you may send documents by any of the following means:

Email: Sara Mahdavi at Sara.Mahdavi@ed.gov
Mail: U.S. Department of Education, Office for Civil Rights
50 United Nations Plaza
Mailbox 1200; Room 1545
San Francisco, CA 94102
Fax: (415) 486-5570
SharePoint: OCR may create an external sharing site through a browser-based portal in which the requested documents and information may be uploaded. Please contact Sara Mahdavi at Sara.Mahdavi@ed.gov to receive online portal information to upload data.

Please do **not** provide the information via an electronic cloud format such as Google Docs. Because email is not reliably secure, please do not email any document that contains personally identifiable or private information without first encrypting this information. You may upload this information using the SharePoint option described above.

Please do not include student social security numbers in your responses. If any responsive documents or data contain social security numbers, please redact them before sending OCR the information.

For purposes of this data request and all subsequent data requests, “document” means a piece of written, printed, photographic, electronic, videotaped, audiotaped, or other matter.

Please note that this data request is of an ongoing nature, such that if documents relevant to this request are discovered or become available at a later time, we request that the recipient promptly provide such documents to OCR. OCR also requests that you provide all documents that are relevant to OCR’s investigation, regardless of whether OCR has requested such documents.

Preservation of requested and relevant data and documents: To ensure that OCR can assess the recipient’s compliance with the statutory and regulatory obligations at issue in this investigation, please ensure that recipient employees preserve the data and documents requested below for the time-frame specified in these requests and going forward until OCR closes this complaint. Please also ensure that recipient employees preserve other data and documents that are relevant to the allegation(s) under investigation until OCR closes this complaint. The regulation implementing Title VI, at 34 C.F.R. §§ 100.6(b) and (c), requires that a recipient of federal financial assistance make available to OCR information that may be pertinent to reach a compliance determination.

Please provide the following information for the 2023-2024 school year:

1. A narrative response to the issue opened for investigation and a copy of any documents or data relied upon in the narrative or supporting the facts stated in the narrative.
2. Indicate if the issues raised are pending elsewhere. If so, please provide a copy of the complaint filed and indicate its status. If it is not possible to provide a copy of the complaint, please state the allegations raised in the other complaint and the forum in which the complaint was filed (e.g., another federal, state, or local civil rights enforcement agency, through the University's internal grievance procedures, or in state or federal court).
3. A copy of or link to the University's policies and procedures, and a description of its practices, governing the investigation of and response to reports and complaints of discrimination, including harassment, on the basis of national origin, including shared ancestry. Provide a detailed description of the complaint process, including each level of the process, the length of the process, and the types of records maintained. Please also provide the name(s), job title(s), and contact information of the University employees responsible for handling such reports and complaints at the University at each level of the process.
4. An explanation of the means by which the University informs students, faculty, and staff of the policies and procedures referred to in Item 3. Please provide copies of all materials disseminated to students, faculty, and staff or provide links to the webpages where these materials are posted.
5. A detailed description of any formal and informal complaints and reports of discrimination, including harassment, of students based on national origin (shared ancestry). Please include:
 - a. copies of any complaint(s) or reports received;
 - b. the name(s) and job title(s) of the person(s) to whom the complaint was made or who otherwise became aware of the alleged incident;
 - c. the name and relation to the University of the person making the report/complaint (e.g., student, faculty members, parent/guardian, counsel, member of the public);
 - d. the date of each complaint(s) or report received;
 - e. a detailed description of each complaint/report, including the name(s) of the alleged target(s) of discrimination/harassment and the alleged discriminators/harassers if not evident from the copy of the complaint/report;
 - f. a detailed description of the procedures used to resolve the complaint or report;
 - g. the length of the process to resolve the complaint or report (e.g., 62 days);
 - h. the name(s) of any students involved in the alleged incident and their national origin (shared ancestry) if known;
 - i. the name(s) and job title(s) of the person(s) responsible for investigating and otherwise resolving the complaint or report;
 - j. the name(s) and relationship to the University of any witnesses interviewed by the University;
 - k. all actions taken by the University in response to the allegations raised by the complaint or report, including any corrective action taken, disciplinary sanctions imposed, supportive services and remedies offered and/or provided to individuals (e.g., counseling, safety measures), and/or individual and/or University-wide remedies;

- l. the University's final determination, if any, regarding each complaint and report and the date of the determination;
 - m. any notice of the final outcome of the investigation or resolution provided to the reporting party or others with regard to the complaint or report;
 - n. if the University did not investigate any particular report/complaint, the reason(s) for not investigating, and the name(s) and job title(s) of the person(s) who made the decision; and
 - o. copies of any other documentation related to each complaint or report, including but not limited to interview or other notes, emails, investigative reports, internal and external memoranda, witness statements, meeting minutes, correspondence, logs, forms, record of supportive measures and/or remedies offered and provided, and hearing transcripts generated by the University's offices.
6. A detailed description of any training regarding discrimination, including harassment, based on national origin, including shared ancestry, provided to University staff responsible for responding to complaints. For each such training provide the dates of such training, a description of the training, a description of the training participants, and copies of any materials distributed during the training.
 7. The name, job title, address, telephone number, fax number, and email address of the University contact person for this complaint.
 8. Any other information the University believes will assist OCR in its investigation.