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VIA EMAIL

U.S. Department of Education
Office for Civil Rights
50 United Nations Plaza
San Francisco, CA 94102
Telephone: (415) 486-5555
Email: OCR.SanFrancisco@ed.gov

I. Introduction

The University of California, Davis (hereinafter “UCD”) has mistreated Palestinians, Arabs, Muslims, and people who express solidarity with the Palestinian struggle. UCD’s own actions and failure to act against third-party harassment against these groups have fostered an environment hostile to people who are or are perceived to be Palestinian, Arab, or Muslim. This letter details numerous incidents of discrimination and harassment that complainants suffered based on their actual and perceived national origin and association with Palestinian students, and requests the Department of Education’s Office of Civil Rights (hereinafter “OCR”) commence an investigation into UCD’s numerous violations of its obligations under Title VI of the Civil Rights Act of 1964 (Hereinafter “Title VI”).

Undergraduate, graduate, and professional students at UCD have been subjected to vitriolic harassment and discriminatory treatment at the hands of students, faculty, administrators, and third parties on UCD campuses and via UCD communications channels. Through UCD’s internal process and direct conversations, administrators have repeatedly been made aware of the hostile anti-Palestinian campus climate and individual incidents of harassment and discriminatory treatment. The same administrators have not only failed to act against this hostile environment, but have also contributed to this climate through their participation in said discrimination, dismissal of concerns, seemingly singular focus on avoiding external criticism, and maintenance of an ineffective internal anti-harassment system.

The allowance and maintenance of a discriminatory environment at UCD has resulted in complainants experiencing alienation, silencing, a lack of safety, feelings of embattlement, and a general lack of support by institutional actors tasked with providing equal, nondiscriminatory access to university resources. These experiences and impacts have taken a toll on the well-being of students who are or are perceived to be Palestinian, Arab, or Muslim and the ability of individual complainants to

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

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

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

They have experienced harassment, (b)(6); (b)(7)(A); (b)(7)(C)

students

and faculty, and retaliation for attempting to access resources as full members of the campus community.

The sampling of incidents in this complaint demonstrates the pervasiveness of anti-Palestinian discrimination at UCD, the inadequacy of UCD’s Harassment & Discrimination Assistance and Prevention Program (hereinafter “HDAPP”), the uneven implementation of university policies that allow for the dismissal of concerns of Palestinian students and their allies, and the creation of new policies seemingly in response to the requests and concerns of Palestinian, Arab, and Muslim students that have had the effect of preventing these students from accessing and utilizing the resources of the university. The inability and apparent unwillingness of UCD to rid itself of or adequately remedy anti-Palestinian national origin discrimination on its campus warrants an investigation by OCR into UCD’s failure to fulfill its obligations under Title VI and the mandated remediation of said failure.

II. Legal Standards

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin by institutions that receive federal financial assistance.¹ A university that received federal funds may violate Title VI in two ways: if it commits a discriminatory act of its own, or for permitting a hostile environment, i.e. when harassment by a third party or student is “so severe, pervasive, and objectively offensive that it effectively bars the victim’s access to an educational opportunity or benefit.”²

A university-recipient that has actual or constructive knowledge of a hostile environment must take prompt and effective steps that are reasonably calculated to end harassment, eliminate hostile environments, prevent recurrence, and remedy effects by ensuring that students are not barred from participation in or benefits of educational opportunities as a result of a hostile environment.³ A university that responds with deliberate indifference, or fails to take appropriate responsive action to a known hostile environment violates Title VI and risks losing federal financial assistance.⁴

¹ 42 U.S.C. §2000d (1964).

² See *Davis ex rel. LaShonda v. Monroe Cty. Bd. Of Educ.*, 526 U.S. 629, 633 (1999). Although *Davis* is a Title IX case, the same legal standards are applied to Title VI enforcement, *See, e.g., Fitzgerald v. Barnstable Sch. Comm.*, 555 U.S. 246, 258 (2009) (“Congress modeled Title IX after Title VI of the Civil Rights Act of 1964, and passed Title IX with the explicit understanding that it would be interpreted as Title VI was.”).

³ *See, e.g., Letter from Melanie Velez, Reg’l Dir., Dep’t of Educ. Office for Civil Rights Region IV to Kathryn LeRoy, Superintendent of Polk County Pub. Schs. at 3 (Mar. 23, 2016) (RE: Case No. 04-14-1664)*, available at <https://www2.ed.gov/about/offices/list/ocr/docs/investigations/more/04141664-a.pdf>

⁴ 42 U.S.C. § 2000d-1 (1964).

A hostile environment based on harassment “need not be based on the ground of the complainant’s or victim’s race, so long as it is racially motivated. See, e.g., Center Grove Community School, OCR Case No. 1591-1168 (Title VI violated where white girl was forced to withdraw from all-white school, as result of harassment by classmates which included note criticizing her association with black student at another school).”⁵ Across UCD, students known to associate with Palestinian students and engage in educational and advocacy activities related to Palestine are subjected to racially-motivated harassment on the basis of that association, creating a hostile environment.

To the extent that this complaint details incidents of harassment and discrimination involving UCD staff, complainants request that OCR investigate how a hostile environment for UCD staff compounds the hostile environment that student beneficiaries of federal funding are subjected to.

III. Main Campus

A. Harassment of Undergraduates by UC Davis Students and Faculty

Students for Justice in Palestine at UC Davis (SJP) is a registered undergraduate student organization that promotes justice, human rights, liberation, and self-determination for the Palestinian people through education and advocacy efforts. [REDACTED] have experienced harassment due to their actual and perceived identities as Palestinian, Arab, and Muslim individuals. In the last 180 days,

[REDACTED]

[REDACTED] by students and faculty at UC Davis, as well as unaffiliated third parties entering the UC Davis campus. [REDACTED] have faced discriminatory treatment and have been subjected to unfair and highly racialized scrutiny and treatment by UCD actors in their attempts to access educational resources and facilities in which to hold extracurricular activities. UCD has fostered an environment where their Palestinian, Arab, and Muslim students experience ongoing silencing, repression, and discrimination.

1. Misuse of Classroom Recordings

In [REDACTED] and Students A and B,⁶ undergraduate students and [REDACTED] attended their [REDACTED] class on [REDACTED] taught by [REDACTED]

[REDACTED] This class was [REDACTED] classes taught by [REDACTED] [REDACTED] facilitated a class discussion on the events of October 7th. [REDACTED]

explained what she felt October 7th symbolized for Palestinians. Immediately, other students began to behave very aggressively, and tensions became very high as they yelled in [REDACTED] direction and

⁵ Notice of Norma V. Cantu, Asst. Sec. for Civil Rights on Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance (Mar. 7, 1994), available at <https://www2.ed.gov/about/offices/list/ocr/docs/race394.html>

⁶ The two students referred to as Students A and B are known to the complainant and are willing to be interviewed by the Office of Civil Rights.

interrupted her every time she and other Palestinian and Muslim students spoke. As (b)(6); (b)(7)(A); continued to share her opinion, other students cut her off and yelled at her. (b)(6); (b)(7)(A); asked other students multiple times to “please not interrupt me” but they continued to do so. So many other students were yelling that it was difficult for (b)(6); (b)(7)(A); Student A, or Student B to hear exactly what they were yelling in (b)(6); (b)(7)(A); direction. (b)(6); (b)(7)(A); did not mediate the dispute between (b)(6); (b)(7)(A); and the other students. Further, he expressed disappointment with and disapproval of (b)(6); (b)(7)(A); viewpoint. After class, other students continued to glare at and whisper about (b)(6); (b)(7)(A);

(b)(6); (b)(7)(A); was denied the ability to safely speak in a classroom environment as (b)(6); (b)(7)(A); student speaking about Palestine. (b)(6); (b)(7)(A); was unable to finish speaking and felt completely overtaken and shut down not only by (b)(6); (b)(7)(A); (b)(7)(C) but by a number of other students. (b)(6); (b)(7)(A); both in his syllabi and in discussing his expectations for the class, made clear his expectation for respectful and professional conduct and discourse. When (b)(6); (b)(7)(A); was interrupted, shouted at, and called names by other students, she felt targeted, harassed, and isolated due to her identity as a (b)(6); (b)(7)(A); (b)(7)(C) student. In a private conversation between (b)(6); (b)(7)(A); Students A & B, and (b)(6); (b)(7)(A); (b)(7)(C) he acknowledged that the behavior of some students, including (b)(6); (b)(7)(A); was inappropriate and had been an issue in other courses. In other lively class discussions, (b)(6); (b)(7)(A); (b)(7)(C) took an active role moderating between students of divergent viewpoints, yet when it came to (b)(6); (b)(7)(A); and others, he allowed students to attack and berate (b)(6); (b)(7)(A); and those who shared her viewpoint. If not for (b)(6); (b)(7)(A); friends and allies in the class, she would not have felt comfortable returning to subsequent classes.

Later in the (b)(6); (b)(7)(A); (b)(7)(C) told the class he would not be recording classes going forward as (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); It was (b)(6); (b)(7)(A); and other students’ belief that a classmate may have (b)(6); (b)(7)(A); (b)(6); (b)(7)(A); (b)(7)(C)

From the beginning of (b)(6); (b)(7)(A); when most students took the (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); classes were not recorded. During the (b)(6); (b)(7)(A); (b)(7)(C) on (b)(6); (b)(7)(A); (b)(7)(C) spoke during a public comment period at a Davis City Council meeting.⁷ (b)(6); (b)(7)(A); quoted (b)(6); (b)(7)(A); exact words from the (b)(6); (b)(7)(A); in-class discussion. (b)(6); (b)(7)(A); believed that (b)(6); (b)(7)(A); could only quote her exact words from class if he was personally recording her during the class for the purpose of reporting on her words. (b)(6); (b)(7)(A); felt surveilled, harassed, and unwelcome in a learning environment supposedly dedicated to learning and the safe exchange of ideas. (b)(6); (b)(7)(A); was

⁷ A recording of this public comment is available on the City of Davis website at (b)(6); (b)(7)(A); (b)(7)(C)

bolstered in her earlier belief that (b)(6); (b)(7)(A); (b)(7)(C) comments during (b)(6); (b)(7)(A); about ceasing recording of classes was due to actions similar to those exhibited by (b)(6); (b)(7)(A); in the (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); and other students lost access to the valuable resource of class recordings. (b)(6); (b)(7)(A); was burdened by (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); felt that if she was not (b)(6); (b)(7)(A); would either not have taken this action or, at the very least, it would have resulted in consequences, especially if (b)(6); (b)(7)(A); (b)(7)(C) was actually aware that he was misusing class recordings for purposes of intimidation and harassment. (b)(6); (b)(7)(A); continued to (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) because, while the class recordings had been halted, she did not know if (b)(6); (b)(7)(A); or other students would comply and not record classroom discussions with their own devices. It was not easy for (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) harassed, and unsupported in said classes. Furthermore, she lost access to the very resource that would have helped her mitigate the effects of the hostile classroom environment by letting her review course content and discussions.

2. Harassment and Surveillance at Campus Events

SJP typically holds demonstrations at the Quad in front of the Memorial Union, a building at the center of campus, and holds educational events in various UCD classrooms reserved by the organization in advance. (b)(6); (b)(7)(A); continuous and persistent harassment of SJP members began in (b)(6); (b)(7)(A);. As (b)(6); (b)(7)(A); (b)(7)(C) has harassed SJP members and other student attendees by (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) despite being requested not to by numerous students due to safety concerns (b)(6); (b)(7)(A); has (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); continued this harassment by (b)(6); (b)(7)(A); (b)(7)(C) which caused further vitriolic harassment towards these students over the internet. (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) an undergraduate student at UC Davis (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) viewed the article as misinformative, inflammatory, and designed to promote animus against Palestinian students by employing racist tropes of Arab terrorism and false claims of antisemitism. (b)(6); (b)(7)(A); (b)(7)(C) believed both (b)(6); (b)(7)(A); and (b)(6); (b)(7)(A); solicited and contributed to (b)(6); (b)(7)(A); (b)(7)(C) in order to harass and intimidate SJP and community members, purposefully demonize and misconstrue their actions and identities, and place Palestinian students at a higher risk of doxxing and harm. As a result of the actions of (b)(6); (b)(7)(A); and (b)(6); (b)(7)(A);

⁸ See Attachment A

(b)(6); (b)(7)(A); SJP changed their internal protest policy to require all SJP board-members to be fully masked and for masks to be available to community members in order to reduce risks of doxxing and harassment.

On October 16th, at a rally for Palestine at the Memorial Union, a graduate student in the (b)(6); (b)(7)(A); (b)(7)(C) was roaming the edge of the rally verbally harassing undergraduate student attendees. (b)(6); (b)(7)(A); (b)(7)(C) asked students who held signs with the number of Palestinian children who had been killed by that point. (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) He proceeded to initiate conversations with undergraduate students. (b)(6); (b)(7)(A); (b)(7)(C) Two graduate students and one faculty member present confronted (b)(6); (b)(7)(A); (b)(7)(C) to tell him his actions were creating a hostile and unsafe environment for students who were at the event to grieve, not be accused of terrorism by agitated strangers.⁹ In response to one of the intervening graduate students telling him not to approach random people and pointing to a student (b)(6); (b)(7)(A); (b)(7)(C) had just been harassing, he replied “not random, I know that student,” indicating that he may have been harassing one of his own current or former students.

On October 25th, 2023, SJP held a protest calling for a ceasefire in Palestine. The protest began near Wellman Hall and ended at Mrak Hall. (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) near Wellman Hall. Multiple students asked him to (b)(6); (b)(7)(A); (b)(7)(C) due to concerns for their safety. In response, (b)(6); (b)(7)(A); (b)(7)(C) yelled at students and called them (b)(6); (b)(7)(A); (b)(7)(C) It appeared to Student B that he targeted students for (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) Because (b)(6); (b)(7)(A); (b)(7)(C) would not stop (b)(6); (b)(7)(A); (b)(7)(C) in an effort to protect protestors and create a record of the harassment, Student B began to (b)(6); (b)(7)(A); (b)(7)(C) Subsequently, (b)(6); (b)(7)(A); (b)(7)(C) stopped talking and refused to speak. However, he remained in the vicinity and continued (b)(6); (b)(7)(A); (b)(7)(C)

As protesters walked from Wellman Hall to Mrak Hall, (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) Student B was (b)(6); (b)(7)(A); (b)(7)(C) Student B asked him to (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) responded by yelling and calling Student B (b)(6); (b)(7)(A); (b)(7)(C) He also yelled at other students, saying (b)(6); (b)(7)(A); (b)(7)(C) Student B explained to him that the protest was not in support of Hamas but to bring awareness to the need for a ceasefire in Gaza.

⁹ This faculty member is known to complainants and willing to speak to OCR as part of their investigation. Four additional UCD faculty members, as well as (b)(6); (b)(7)(A); (b)(7)(C) are known to complainants, and are willing to speak to OCR about what they experienced and witnessed pertaining to various incidents detailed in this complaint.

At almost every demonstration, (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A) approached student attendees to harass them by asking them personal questions, questioning their (b)(6); (b)(7)(A); (b)(7)(C) and asking them about their historical understandings and opinions surrounding the matter of occupied Palestine. On multiple occasions, undergraduate, graduate, and professional students intervened, asked (b)(6); (b)(7)(A) to stop harassing students, and informed students that they were free to ignore the harassment and could notify an event organizer if the harassment escalated.

On February 1st, 2024, SJP held a protest to encourage the San Francisco District Attorney not to pursue charges against students cited at the January 2024 UC Board of Regents Meeting while peacefully protesting for Palestine and against the University's institutional complicity in violations of human rights and international law.¹⁰ (b)(6); (b)(7)(A); (b)(7)(C) saw a student named (b)(6)¹¹ sitting at a table near the protest (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) to let him know that they were aware of his behavior (b)(6) got up and left. During the same protest, (b)(6); (b)(7)(A); (b)(7)(C)

Campus administrators often attend SJP demonstrations and observe from close by; for this reason, UCD is on notice of the behavior of students, faculty, and third parties who harass and surveil attendees of these events. Administrative staff have routinely approached SJP board members before protests to warn them that if any attendees engage in activities like graffiti and vandalism, SJP as an organization would be found at fault. These actions do not make (b)(6); (b)(7)(A); (b)(7)(C) feel like (b)(6); (b)(7)(A); (b)(7)(C) A recent egregious and discriminatory example of such a communication occurred at the February 1st event when (b)(6); (b)(7)(A); (b)(7)(C) approached Student A and told her that if any student engaged in vandalism, students (b)(6); (b)(7)(A); (b)(7)(C)

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

Although Registered Student Organizations take responsibility for their events, it is unrealistic to expect them to control the behavior of every attendee at publicly advertised events which have had hundreds of students and community members in attendance. When (b)(6); (b)(7)(A); (b)(7)(C) had conversations with other organizations and student leaders, they learned that no other organization is met with the same hostility, surveillance, and pre-event warnings like this. SJP (b)(6); (b)(7)(A); (b)(7)(C) are targeted for their real and perceived Palestinian, Arab, and Muslim identities. (b)(6); (b)(7)(A); (b)(7)(C) feel purposefully and singularly undermined on the basis of their national-origin and perceived identities and experience many more roadblocks while planning and hosting official functions than other student organizations.

¹⁰ (b)(6); (b)(7)(A); (b)(7)(C) the (b) individuals (b)(6); (b)(7)(A); (b)(7)(C)

¹¹ (b)(6) last name is unknown. A picture has been provided as Attachment B.

¹² This exchange was raised in a subsequent meeting between student organizers and administrators, after which (b)(6); (b)(7)(A); (b)(7)(C) emailed (b)(6); (b)(7)(A); (b)(7)(C) asserting that this is not what was said, but apologizing for how this was "interpreted." See (b)(6); (b)(7)(A); (b)(7)(C) email and (b)(6); (b)(7)(A); (b)(7)(C) response, which makes reference to the discriminatory campus climate and the events of November 17th, Attachment C.

During the week of March 4-8th, (b)(6); (b)(7)(A); (b)(7)(C)

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

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

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

(b)(6); (b)(7)(A); (b)(7)(C) was taking a quiz at a table next to (b)(6); (b)(7)(A) and later told (b)(6); (b)(7)(A); (b)(7)(C) that they overheard (b)(6); (b)(7)(A) and other students continuously saying that (b)(6); (b)(7)(A); (b)(7)(C) which was untrue. In response to this assumption, the group began to (b)(6); (b)(7)(A); (b)(7)(C) Eventually, the group waved at (b)(6); (b)(7)(A); (b)(7)(C) mockingly and left.

Later that week, on March 6th, 2024, SJP was tabling on campus again to raise funds for a bona fide medical supply drive for Gaza. (b)(6); (b)(7)(A); (b)(7)(C) an undergraduate student, walked back and forth in front of SJP's table while making mocking faces. (b)(6) then raised his middle finger at the SJP table before leaving. (b)(6); (b)(7)(A); (b)(7)(C) but did not interact any further due to serious safety concerns regarding this specific student and his (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) is a student known to (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) It is unclear whether any administrative staff or faculty were present or saw this interaction, but the incident occurred in a part of campus that has heavy foot traffic.

Later that same day, SJP held an educational event on Forms of Palestinian Resistance. (b)(6); (b)(7)(A); (b)(7)(C) and an unknown woman attended the event. (b)(6); (b)(7)(A); (b)(7)(C) are known by SJP to have harassed students with slurs and hate speech at campus events in addition to (b)(6); (b)(7)(A); (b)(7)(C) when explicitly asked not to. (b)(6); (b)(7)(A); (b)(7)(C) and student A & B did not feel comfortable having them at the SJP event because of their past behavior.

Student B spoke to (b)(6); (b)(7)(A) and Student A talked to (b)(6); (b)(7)(A); (b)(7)(C) talked to (b)(6); (b)(7)(A) and requested that they leave because they had verbally harassed students in the past. (b)(6); (b)(7)(A); (b)(7)(C) could see (b)(6); (b)(7)(A) get visibly upset and he (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) During this period, Student A made a phone call to (b)(6); (b)(7)(A); (b)(7)(C) student at UCD, who immediately called the (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A) to seek guidance on SJP's behalf, only to reach her voicemail. After extensive discussion and attempts by SJP board members to comply with their understanding of UCD policy on holding closed events, the group eventually left and SJP's event was able to proceed.

(b)(6); (b)(7)(A); (b)(7)(C) were present for the entirety of this encounter, all of whom were incredibly perturbed by the fact that two faculty members would publicly display such aggressive and

intimidating behavior. (b)(6); (b)(7)(A); (b)(7)(C)
(b)(6); (b)(7)(A); (b)(7)(C) It has now become common practice that (b)(6)
(b)(6); (b)(7)(A); (b)(7)(C) whether on or off campus.

This internal practice was adopted specifically in response to this incident.

This incident was not reported through HDAPP, but was communicated to (b)(6); (b)(7)(A); (b)(7)(C) who responded by assuring SJP that he would aim to be present for the first 15-20 minutes of future SJP events and clarify the guidelines for exclusion of attendees whose only purpose in being present at events is to harass, intimidate, and stymie students' free exchange of information. Complainants find this to be an unsatisfactory solution and that UCD administrators have done nothing to discourage the environment of rampant harassment and bullying of Palestinian, Arab, and Muslim students by institutional actors at UC Davis.

Many other incidents remain unreported as (b)(6); (b)(7)(A); (b)(7)(C) fear retaliation, distrust UCD administrative actors who themselves engage in discriminatory behavior, and find UCD an environment that generally disregards incidents of this nature. Student B has (b)(6); (b)(7)(A); (b)(7)(C) and has been met with little to no support, minimal investigation, unreasonably quick dismissals, and no measures of accountability for perpetrators of harassment. This pattern has created an environment in which Palestinian students feel as though reporting through HDAPP or to UC Davis officials is not only a waste of time but heightens the level of surveillance and discrimination that Palestinian, Arab, and Muslim students are subject to. When UCD administrators frame harassment as a conflict between two equally-situated "sides," they abdicate their responsibility to address the hostile campus climate for Palestinian, Arab, and Muslim students.

B. Discriminatory Treatment of Student Protestors at Mrak Hall

On November 17th, students rallied on campus and marched to the administration building of UCD, Mrak Hall. A number of graduate and professional students, organized under the name UC Davis Graduate, Medical, Veterinary, and Law Students for Justice in Palestine¹³ were in attendance and intended to deliver a statement, list of demands, and list of signatories to administrators.¹⁴ When the group of students arrived at the building, they saw pieces of paper taped to the external doors indicating that the building was closed to the public.

Administrators outside the building approached the group of students and informed them that they would not be able to enter the building. (b)(6); (b)(7)(A); (b)(7)(C) spoke with (b)(6); (b)(7)(A); (b)(7)(C)

¹³ The name of this organization, which is not a Registered Student Organization, was later changed, at the prompting of administrators and in order to avoid infringing on UCD's intellectual property rights or implying a connection to or endorsement by UCD, to Davis Graduate, Medical, Veterinary, and Law Students for Palestine.

¹⁴ Complainants are aware that the events of this day have been described in a fabricated and racially derogatory manner in an Office of Civil Rights complaint dated April 1, 2024.

(b)(6); (b)(7)(A); (b)(7)(C) about the group's desire to enter Mrak Hall to deliver their statement, demands, and list of signatories. During this exchange, and in the direct vicinity of where (b)(6); (b)(7)(A); (b)(7)(C) and tens of other students were standing right outside the glass doors, (b)(6); (b)(7)(A); (b)(7)(C)

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

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

Upon (b)(6); (b)(7)(A); (b)(7)(C) protestors began pounding on the locked doors with their hands and shouting "let them out." Some students ran to the glass doors on the opposite side of the building. (b)(6); (b)(7)(A); (b)(7)(C) asked (b)(6); (b)(7)(A); (b)(7)(C)

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

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

(b)(6); (b)(7)(A); (b)(7)(C) Over the course of the next 10-15 minutes, (b)(6) made some phone calls and informed (b)(6); (b)(7)(A); (b)(7)(C) under the condition that protestors not attempt to enter Mrak Hall for the duration of the event and that the (b)(6); (b)(7)(A); (b)(7)(C) The

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

The rest of the event proceeded on the steps of Mrak Hall with a drum performance and speeches by organizers.

During this event, (b)(6); (b)(7)(A); (b)(7)(C)

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

In the aftermath of this event, on November 22nd, the Center for Student Involvement sent an email to all organizational sponsors of the event reminding them of various UCD policies and that property damage is not protected by the First Amendment. On January 24th and again on February 26th, (b)(6); (b)(7)(A); (b)(7)(C) verbally asked Chancellor May about the status of the (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) On both occasions, Chancellor May said that the incident had been referred to the UCD Police Department's Police Accountability Board. To the complainants' knowledge, neither the victim nor any students present at this event have been contacted by the Police Accountability Board, nor has the Board published any outcome on their public database of cases.

In the days leading up to the November 17th incident, UCD administration did not warn any event sponsors or organizers of any security threat or closure of Mrak Hall. UCD is a public university, Mrak Hall is generally accessible to the public, and on multiple prior occasions protestors have entered Mrak Hall, including in December 2022 during a strike of academic workers.

¹⁵ The student who was detained is known to complainants and willing to speak with an OCR investigator.

C. Event Promotion, Co-Sponsorship, and Listserv Access Policy Changes

UCD academic departments, student organizations, and non-departmental centers and offices organize, sponsor, and advertise events throughout the year, including extracurricular lectures, panels, discussions, film screenings, and cultural celebrations. (b)(6); (b)(7)(A); (b)(7)(C)

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

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

(b)(6); (b)(7)(A); (b)(7)(C) Because of his work around (b)(6); (b)(7)(A); (b)(7)(C) faced discrimination and harassment from university-affiliated actors and third parties based on perceived national origin.

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

October 18th teach-in entitled “Emergency Teach-In: Palestine Now,” which offered the campus community the opportunity to learn from faculty and a postdoctoral scholar with significant expertise on the topic. In (b)(6); (b)(7)(A); (b)(7)(C) entitled “Israeli Genocide: History & The Law” with two renowned scholars. (b)(6); (b)(7)(A); (b)(7)(C) sought co-sponsorships of these events from academic departments, student organizations, and other campus offices that have a practice of hosting and co-sponsoring educational events on various topics. The purpose of seeking multiple co-sponsors was to reach more potential attendees. They were co-sponsorship requests with the aim of expanding a campus conversation across campus departments about Palestine, to elicit discussion, to end the shame, stigma, and fear that students, staff, and faculty feel about discussing Palestine at UCD. These requests were denied by several UCD actors, including the LGBTQIA Resource Center, the History Department, the University Writing Program, the Graduate Email Coordinators of the Graduate Studies Advisory Committee, the Political Science Department, and the Jewish Studies Department.

1. LGBTQIA Resource Center

On (b)(6); (b)(7)(A); (b)(7)(C) emailed (b)(6); (b)(7)(A); (b)(7)(C) inviting the LGBTQIA Resource Center to co-sponsor the October teach-in. (b)(6); (b)(7)(A); (b)(7)(C) responded the next day: “... unfortunately as a center we are not allowed to express stances on political topics, so we cannot offer a co-sponsorship even in name.”¹⁶ It is clear, however, that this is not a uniformly applied policy. On their social media, the Center promoted a discussion they co-hosted with Angelica Ross entitled “From Marginalization to Liberation,” released public Instagram posts disapproving of Supreme Court Decisions, and made statements about controversial campus events.

2. History Department

¹⁶ See Attachment D.

(b)(6); (b)(7)(A); (b)(7)(C) also requested cosponsorship from the UCD History Department. After numerous back-and-forth emails in which cosponsorship was extended and rescinded, he was later informed by faculty that his request led to a change in policy in the History Department, which now requires requests to be routed through the department's "Advisory Council." The Advisory Council has been given effective veto-power over sponsorship decisions despite a long history of co-sponsorship decisions being forwarded to and approved by the Colloquium Committee Chair. The hastily implemented policy has been irregularly followed, with at least two subsequent co-sponsored events occurring without approval via the new process. Discussion of the policy and its potential impact on academic freedom and access issues among the faculty and staff of the History Department has been repeatedly delayed. This merits investigation by the Department of Education, especially where said policy change may have been established at the behest of individual faculty harboring discriminatory anti-Palestinian animus.

3. University Writing Program

On (b)(6); (b)(7)(A); (b)(7)(C) reached out to the UCD University Writing Program (UWP) for sponsorship of the October teach-in, but was told the UWP committee would not have time to decide on sponsorship. When (b)(6); (b)(7)(A) pointed out that they had a committee meeting already scheduled before the event, they did not reply. (b)(6); followed up after the event to ask why they would not discuss the event at their meeting, but he was redirected to (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) did not respond to (b)(6); (b)(7)(A); (b)(7)(C) emails, and (b)(6); (b)(7)(A); (b)(7)(C) concerns were once again lost in bureaucratic accountability shuffling.

4. Graduate Email Coordinators

At UCD, (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) run a graduate studies listserv. They receive emails from students, administrators, and graduate department coordinators with event promotions and announcements, and then forward them to other department coordinators who in turn distribute the information to their departments. (b)(6); (b)(7)(A); (b)(7)(C) has used this system for years to distribute information about events. The only reason they had ever denied his requests to forward information in the past was because they are not able to forward messages from "outside organizations."

On (b)(6); (b)(7)(A); (b)(7)(C) asked (b)(6); (b)(7)(A); (b)(7)(C) to forward information about the October teach-in. Although this event was sponsored by the Cultural Studies Graduate Association, the Cultural Studies program, and several other campus organizations, (b)(6); (b)(7)(A); (b)(7)(C) never received a response.

On (b)(6); (b)(7)(A); (b)(7)(C) sent another request to forward information about the December teach-in. He received no response to the original email or his follow-up until after the event had passed. This late reply said that GSAC was reevaluating the listserv policy to focus more on sharing information about "deadlines, policy changes, and staff trainings." GSAC never publicized the changed

policy. (b)(6); (b)(7)(A); (b)(7)(C) was frustrated that his only means of reaching other graduate departments, and thus a wider audience of graduate students outside his own department, was being cut off. Subsequently, it seems that the coordinators have stopped sending event announcements.

5. Political Science Department

On (b)(6); (b)(7)(A); (b)(7)(C) emailed the UCD Political Science Department to ask if they would sponsor the December teach-in. (b)(6); (b)(7)(A); (b)(7)(C) responded that they “don’t sponsor these kinds of events.”¹⁷

6. Jewish Studies Department

On (b)(6); (b)(7)(A); (b)(7)(C) emailed (b)(6); (b)(7)(A); (b)(7)(C) an invitation to sponsor the December teach-in. (b)(6); (b)(7)(A) responded saying that he would be open to sponsoring the event if the organizers would change the title to “Genocide, History, and the Law,” taking Israel out of the title, thereby erasing Israeli responsibility for the ongoing genocide in Gaza. When (b)(6); (b)(7)(A) expressed that he would be open to changing the title but would not completely remove any mention of Israel from the event title, (b)(6); (b)(7)(A) accused (b)(6); (b)(7)(A) of bringing the sponsorship request in bad faith and said the Jewish Studies Department could not sponsor without having input into the event, despite at first saying that would not be a problem.

The overarching theme of (b)(6); (b)(7)(A) interactions with UCD departments and offices is a deep unwillingness on the part of the university to engage with the ongoing genocide in Gaza or students organizing to educate the broader UCD community about this matter. The numerous pretextual excuses, policy changes, and lack of response that (b)(6); (b)(7)(A) received suggest systemic hostility toward the topic of Palestine, and by extension, the members of the UCD student body actually or perceived to be Palestinian.

D. Academic Senate Executive Council

The UCD Academic Senate's Executive Council (hereinafter “the Council”) advises the Academic Senate on matters of policy and proposes legislation. It is also empowered to convene emergency meetings of faculty representatives or to act on behalf of the Academic Senate in urgent circumstances.¹⁹ This may be done by the Chair, Acting Chair, or at the joint request of any three members “for the purpose of determining that urgent circumstances exist and taking appropriate action.”²⁰

Academic Senate runs a Listserv that goes out to all members of the Senate, including members of the Council, to “deliver information, generally of an academic nature, that directly impacts

¹⁷ Attachment E

¹⁸ Attachment F

¹⁹ Davis Division Bylaws 73(C)

²⁰ *Id.*

Academic Senate faculty as a whole.”²¹ Individuals may send information to the Listserv address and the moderators must either approve the message and distribute it or “reject it *with explanation*” (emphasis added).²² Their policy states that “They will reject messages that are inappropriate or do not meet the distribution criteria.”²³ Those wishing to send messages to the Academic Senate are explicitly discouraged from contacting Academic Senate Office Staff and told they will be redirected to the Listserv.

On (b)(6); (b)(7)(A); (b)(7)(C) sent an email on behalf of Davis Graduate, Medical, Veterinary, and Law Students for Palestine to the Academic Senate Listserv calling on the Council to hold an emergency meeting to consider student demands around censorship of speech about Palestine on campus and various other relevant issues.²⁴ The letter voiced concern that the administration had not addressed the harassment of Palestinian, Arab, and Muslim students who supported Palestine through petitions, campus actions, and educational teach-ins.

(b)(6); (b)(7)(A); (b)(7)(C) letter was inspired by action the Council had taken in November 2022, when the Associated Students of UCD sent a letter to the Academic Senate requesting an emergency meeting to discuss academic flexibilities for undergraduates students impacted by the UAW strike of academic workers. The email was distributed to members of the Academic Senate, the Council called an emergency meeting, and action was taken to provide students with extensions and flexibility under the circumstances.

(b)(6); (b)(7)(A); (b)(7)(C) motivation in sending the letter came from a similar concern for students’ academic needs. His letter spoke of widespread grieving on campus for the violence carried out against Palestinians and the impact of censorship and anti-Arab and anti-Palestinian racism on students.

(b)(6); (b)(7)(A); (b)(7)(C) message was not distributed and the moderators of the Listserv did not respond. (b)(6); (b)(7)(A); (b)(7)(C) followed up twice, asking why the letter would not be distributed per Listserv policies.²⁵ (b)(6); (b)(7)(A); (b)(7)(C) responded on (b)(6); (b)(7)(A); (b)(7)(C) noting the Listserv was generally for information of an academic nature, with no explanation of why (b)(6); (b)(7)(A); (b)(7)(C) letter did not fall within that scope.²⁶ (b)(6); (b)(7)(A); (b)(7)(C) did not respond to (b)(6); (b)(7)(A); (b)(7)(C) subsequent request for an explanation of why his letter did not qualify.²⁷

This listserv is the primary method students may use to request Council members to call an emergency meeting to discuss the climate students are experiencing on campus. Students are uniquely situated to understand campus climate, yet (b)(6); (b)(7)(A); (b)(7)(C) request was not allowed to get to a stage where

²¹ Academic Senate Listserv

²² *Id.*

²³ *Id.*

²⁴ See Attachment G

²⁵ See Attachment H

²⁶ See Attachment I

²⁷ See Attachment J

faculty could evaluate students' claims, thereby preventing faculty from protecting and supporting students.

(b)(6),
[REDACTED] sought out this method of communicating with faculty after having no success communicating with higher-level administrators, and after school employees he spoke to told him that addressing these concerns were “not what we do.” Being aware of the various instances and forms of discrimination occurring to students across UCD, he recognized a pattern of discrimination was occurring that was systematic and encompassed the entire institution. He did not know what other spaces existed on campus to facilitate accountability and hear student voices if not the Academic Senate, who had listened to students during the strike. He felt frustrated, dismayed, and belittled by the fact that the highest institutional bodies that existed on campus to facilitate accountability and hear student voices so easily dismissed the experiences of Arab, Palestinian, Muslim students (and those perceived to be) as irrelevant to the functioning of the university. He felt that this community was being invisibilized while it faced interpersonal and institutional racism, and were essentially being told they do not belong here, without means of demanding accountability by any authoritative body accountable to them, and they are left with no means of seeking redress for their grievances.

Were there a robust and diverse community of faculty at UC Davis that reflected (b)(6),
[REDACTED] and other students' experiences of discrimination, there could have been a wider conversation initiated by faculty. But very few Arab, Palestinian, South West Asian, and North African (SWANA) faculty teach at UCD, highly disproportionate to the numbers of Arab, Palestinian and SWANA students. Because it is a vastly underrepresented community at UCD, students advocated for themselves only to be ignored, dismissed, and disregarded.

In the absence of responsive or diverse faculty, undergraduate and graduate students have been organizing nearly all of the Palestine-related educational programming at UC Davis. In comparison, following the Russian invasion of Ukraine, UCD hosted several events on the topic, including the Ukraine Health Panel on March 15, 2022, hosted by UC Davis Health and the Global Health office; the Crisis in Ukraine panel offered by the UC Davis School of Law on March 7, 2022; and The Backdrop podcast on the Destruction of Ukrainian Cultural Heritage that aired on April 1, 2022.²⁸ In the wake of Israel's accelerated ongoing genocide of Palestinians, the school offered no such programming, and Arab, Muslim, and Palestinian students had to provide community education for themselves and the campus writ large. This pattern, like Israel's treatment of Palestinian people and lands, precedes the events of October 7th, where, on UCD's campus, the thrust of academic programming on Palestine has been driven by students as opposed to institutional actors.

Student organizers have been seeking various forms of institutional support and co-sponsorships precisely because the university has not invested in faculty and staff to develop

²⁸ <https://siss.ucdavis.edu/announcements/resources-support-ukraine-other-regions-during-crisis>

Arab-American and Palestine centered educational institutions that serve this community educationally or understand and sympathize with the problems they face. Students have made their position clear in numerous petitions as well as a resolution passed by the UCD Graduate Students Association which received more than the required 2/3rds representative vote.²⁹

In every instance [REDACTED] was denied access to forums managed by UCD actors, he was left to conclude that discriminatory animus was responsible for the continual denials of access to these vital UCD resources. Instead of treating its students as a nuisance to be ignored or silenced, UCD must address the normalized anti-Arab and anti-Palestinian racism endemic within it.

E. Diversity, Equity, and Inclusion (DEI) Office

On [REDACTED] received a message forwarded on behalf of [REDACTED] [REDACTED] at UCD.³⁰ The email subject was “Campuswide DEI Events” and included promotions for an event hosted by the Congregation Bet Haverim and several UCD courses, including “Modern Israel,” “Middle East Politics,” and “Arab-Israeli Conflict.” Congregation Bet Haverim is a Davis synagogue with its own “Countering Antisemitism Committee” that holds events at UCD, often from a Zionist perspective, attempting to conflate antisemitism with anti-Zionism. One of the Synagogue’s affinity groups is called Israel Haverim, which is: “dedicated to promoting and supporting Israel as a Jewish homeland and spiritual and cultural anchor of Jewish life. We sponsor events, lectures, and other activities related to our support of Israel.”³¹

[REDACTED] was concerned that the DEI office was promoting these events and courses without also sharing information with students about upcoming events and courses about Palestine from an Arab, Palestinian, or anti-Zionist perspective. [REDACTED] emailed [REDACTED] on [REDACTED] asking if she could use her platform again to share events and courses countering anti-Arab and anti-Palestinian racism. [REDACTED] included an upcoming teach-in titled “Palestine Now Teach-in Part 3: A Discussion with Francesca Albanese, United Nations Special Rapporteur on the Occupied Palestinian Territories,” which was organized with multiple UCD graduate programs and student organizations, and offered to forward examples of courses that included Arab and Palestinian perspectives, which he later did email.

[REDACTED] did not receive a response for over a month, despite sending follow-ups. He followed up again on [REDACTED] requesting that the DEI office share two new events, titled “Know Your Rights: Free Speech and Assembly Workshop,” hosted by a Pro-Palestine graduate organization, and “Environmental Destruction and Justice in Palestine Workshop,” as well as several courses offered through the History and Middle East/South Asia Studies, and Ethnic Studies programs about Arab-American and SWANA studies, anti-racism, and colonialism.

²⁹ Attachment K

³⁰ For all quotes in this subsection, see Attachment L

³¹ See <https://www.bethaverim.org/engage/committees/israel-haverim/>

(b)(6); (b)(7)(A); (b)(7)(C) responded on (b)(6); (b)(7)(A); (b)(7)(C) saying, “Our office is undergoing a process review for communications for events that are developed outside of our office; we are also in review regarding ways to provide additional support for programming from departments.”

(b)(6); (b)(7)(A); (b)(7)(C) then asked if (b)(6); (b)(7)(A); (b)(7)(C) had the ability to use discretion while policies were being reviewed, explaining the urgent need for DEI to support “a racialized and disadvantaged group trying to uplift and maintain itself through programming” in the face of an ongoing genocide and rampant racism on campus. He asked if there was a specific problem with the events or fliers that prevented the office from sharing the information.

(b)(6); (b)(7)(A); (b)(7)(C) responded saying the situation was “complex.” In a later conversation in person with (b)(6); (b)(7)(A); (b)(7)(C) the (b)(6); (b)(7)(A); (b)(7)(C) told (b)(6); (b)(7)(A); (b)(7)(C) that if a department is sponsoring an event it “will be easier” for the DEI office to send it out. (b)(6); (b)(7)(A); (b)(7)(C) was confused why this policy was not shared with him directly in their email exchange and whether or not this was the complete policy, as the (b)(6); (b)(7)(A); (b)(7)(C) language made it seem like there might be other reasons they would reject event promotion requests even if the event was sponsored by a department.

(b)(6); (b)(7)(A); (b)(7)(C) was also confused as to how the policy for sharing events had changed between (b)(6); (b)(7)(A); (b)(7)(C) when (b)(6); (b)(7)(A); (b)(7)(C) shared events that were not sponsored by campus departments, and (b)(6); (b)(7)(A); (b)(7)(C) when (b)(6); (b)(7)(A); (b)(7)(C) emailed his first request. Additionally, sharing courses offered by UCD departments seemed to fall within the new policy articulated by (b)(6); (b)(7)(A); (b)(7)(C) but she had refused to forward out the courses (b)(6); (b)(7)(A); (b)(7)(C) shared in (b)(6); (b)(7)(A); (b)(7)(C) was left to believe that the policy change had been hastily implemented following his request that DEI promote events relating to Palestine and was motivated by a desire to stymie Arab and Palestinian speech on campus.

Additionally, on (b)(6); (b)(7)(A); (b)(7)(C) sent an email to (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) On (b)(6); (b)(7)(A); (b)(7)(C) forwarded (b)(6); (b)(7)(A); (b)(7)(C) email to all UC Davis School of Veterinary Medicine email listservs. She prefaced the email by saying in bold, “Forwarding on behalf of (b)(6); (b)(7)(A); (b)(7)(C) to indicate the email came from an authoritative campus actor not from their office. (b)(6); (b)(7)(A); (b)(7)(C) clarified receipt of the email, and stated, “We received your announcement about events regarding ‘Countering Antisemitism.’ I hope that you will be similarly willing to use your platform to announce educational events aimed at countering anti-Arab and anti-Palestinian racism,” and proceeded to notify (b)(6); (b)(7)(A); (b)(7)(C) of upcoming events. An hour or so later, (b)(6); (b)(7)(A); (b)(7)(C) received an automated message from (b)(6); (b)(7)(A); (b)(7)(C) email after requesting he and other administrators forward one of those events, called “Palestine Now Teach-in Part 3: A Discussion with it Francesca Albanese UN Special Rapporteur on the Occupied Territories,” stating, “I am currently out of the office. If the matter is urgent please contact my (b)(6); (b)(7)(A); (b)(7)(C) He had already emailed (b)(6); (b)(7)(A); (b)(7)(C) He was, again, ignored and dismissed and never received a reply, let alone justification for why his email was not forwarded out. An overt and blatant anti-Arab and anti-Palestinian racist double standard exists at UC Davis.

On [REDACTED] emailed all UCD upper administrators, as well as Deans, including [REDACTED] about April's Arab American Heritage Month and all of the lectures, workshops, and activities planned for this month by students and faculty. This month, as reiterated by President Biden in his March 29th Proclamation on Arab American Heritage Month, 2024, and permanently designated for April by the California State Assembly, commemorates Arab and Arab American survival and survivance. [REDACTED] and his office, as well as other Deans and administrators, have not notified the campus of this month's significance, nor did they forward this email out to the [REDACTED] school, depriving them of educational and cultural resources while advertising events and courses associated with Zionist and Israeli interests as well as with other months-of-note, including Black History Month.

F. UC Office of the President: Bias and Bigotry Funding

In her last [REDACTED] email to [REDACTED] also stated that while DEI policies were in flux, "the mechanism that we are using is a championing of the UCOP Phase 2 proposals that have been submitted. The process requests comments, and I have been encouraging groups to read the proposals (including your proposed teaching series!) and to use that mechanism as a means of engaging (many) others to comment and share their support."³² She was referring to UC Office of the President funding that was available for student projects combating Bias and Bigotry on campus. [REDACTED] had submitted a proposal for programming on Palestine titled "Addressing Bias and Bigotry - Teaching Palestine Educational Series," for which the Davis Graduate, Medical, Veterinary, and Medical Students for Palestine, Students for Justice for Palestine (SJP), and dozens of other student and departmental organizations were partners. Both [REDACTED] and another [REDACTED] [REDACTED] told [REDACTED] that the comment system was very important for the funding, and the more comments his proposal received the better his chances of getting funded.

[REDACTED] was confused as to how the commenting system for a series that would not take place until the following year, and only if it was funded, was a substitution for sharing events that were taking place in the current academic term. However, he took the advice and shared information about the proposal and commenting system with his community. On [REDACTED] received an email from [REDACTED] saying that the committee had decided not to fund his proposal.³³ [REDACTED] shared the community comments [REDACTED] proposal had received and said that while the comments had been distributed to the committee, they had not played a role in the decision making. [REDACTED] was disheartened to learn that the commenting system that had been held up to him by [REDACTED] and other administrators as an alternative to DEI sharing campus events about Palestine

³² Attachment L

³³ Attachment M

had been another dead end, as the committee had apparently not even taken the comments into strong consideration.

(b)(6); (b)(7)(A) was further discouraged to see that the community comments on his proposal displayed intense racial hostility towards Palestine, Palestinians, and Arab people.³⁴ Amongst other things, the comments stated that SJP was “radical,” “violent,” and tied to “terror organizations;” that the proposal was for “liberated ethnic studies” curriculum rejected by the state; and that the use of “colonization” and “oppression” to speak about Palestine was “loaded and inappropriate” and had a “political agenda.” (b)(6); (b)(7)(A) was disgusted by the racist tropes painting Arab and Palestinian students as terrorists, the dismissal of the importance of ethnic studies curriculum on university campuses, and the reduction of his identity as an Arab-American student to a “political agenda.” The university had refused to promote existing courses teaching Palestinian and Arab perspectives, forcing him instead to (b)(6); (b)(7)(A); (b)(7)(C) if he wanted Arab and Palestinian students to be able to learn about their peoples and identity. When he did so, he was smeared by anonymous community members who told the committee his proposal was “loaded and inappropriate.”

(b)(6); (b)(7)(A) was not sure who to believe: (b)(6); (b)(7)(A); (b)(7)(C) and other administrators, who told him the comments were a meaningful way for the community to influence the UCOP proposals, or (b)(6); (b)(7)(A); (b)(7)(C) who told him the comments did not matter. If the first, the committee had made their decision based on racist comments that blatantly sought to silence Arab and Palestinian educators, and if the latter, he had been silenced by DEI and UCOP while trying to educate the campus community about Palestine. Someone was lying. Again, (b)(6); (b)(7)(A) was left feeling like there was nowhere on campus that would invest in his community or in combating anti-Arab and anti-Palestinian racism. No matter how many administrators or committees he told his story to, no matter how many proposals he drafted, and no matter how much he was willing to engage the university through its own processes, he was being cut down by bureaucratic racism. He was sent through a rigamarole only to be denied access to university listservs and resources as well as being denied recognition of the value of Palestine educational programming at UCD, itself a form of censorship, restriction, and discrimination under the ruse of a fair and equal process.

G. Instances of Harassment Against (b)(6); (b)(7)(A); (b)(7)(C)

1. UAW Meeting & Grad Student Stalking

On (b)(6); (b)(7)(A); (b)(7)(C) was (b)(6); (b)(7)(A); (b)(7)(C) meeting on UCD campus. (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) During the meeting, a man sitting in

³⁴ Attachment N

front of (b)(6); (b)(7)(A) turned around to face (b)(6); (b)(7)(A); (b)(7)(C) did not know the man and had never seen or spoken to him before.

The man told (b)(6); (b)(7)(A) that he had attended the teach-in (b)(6); (b)(7)(A); (b)(7)(C) and that both the event and (b)(6); (b)(7)(A) were racist because no Jewish people had spoken at the event (this was untrue, as a Jewish faculty member had spoken at the event). The man said that (b)(6); (b)(7)(A); (b)(7)(C) (b)(6) all Israelis were victims of Arab terrorists. He (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C)

The man went on to say that (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) Since this interaction, (b)(6); (b)(7)(A) has seen him on campus staring at him while he sat and (b)(6); (b)(7)(A); (b)(7)(C) or repeatedly walking back and forth in front of the windows of classrooms where (b)(6); (b)(7)(A); (b)(7)(C) was (b)(6); (b)(7)(A); (b)(7)(C) and staring at (b)(6); (b)(7)(A); (b)(7)(C) filed an HDAPP report about the incident at the UAW meeting and the times he felt surveilled by the man on campus. He did not know the man's name but reported the incident as harassment and discrimination by another male graduate student in attendance at a (b)(6); (b)(7)(A); (b)(7)(C) meeting, after the incident occurred. (b)(6); (b)(7)(A); (b)(7)(C) wrote that he felt like "a verbal punching bag" while the man harassed him, and "a receptacle for his hate and disdain for Arabs and Palestinians."

On (b)(6); (b)(7)(A); (b)(7)(C) emailed (b)(6); (b)(7)(A); (b)(7)(C) and told him, again, that HDAPP can only respond to complaints about current UCD faculty, staff, or students, and that his complaint did not fall within any of those categories, so there was nothing they could do.³⁵ (b)(6); (b)(7)(A); (b)(7)(C) believed the person who harassed him was a graduate student, as the incident had occurred at a (b)(6); (b)(7)(A); (b)(7)(C) though he did not know his name. If HDAPP is not equipped to handle incidents of harassment when the perpetrator is not known to the person they are harassing, then a large percentage of incidents will go unanswered by HDAPP and UCD.

2. Asian American Studies Teach-In

On (b)(6); (b)(7)(A); (b)(7)(C) the Asian American Studies (ASA) Department held a teach-in about Palestine for ASA students. (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) In pursuit of genuine discussion, the panelists shared a statement from the Association for Asian American Studies about Palestine and an academic article so that everyone present could participate.

When the event was opened up for questions from the audience, an older man who had been sitting next to (b)(6); (b)(7)(A); (b)(7)(C) introduced himself as (b)(6); (b)(7)(A); (b)(7)(C) and criticized the readings. He accused the Asian American Studies Department of misrepresenting the conflict. He said, "You all don't know what you're talking about, and are detached from reality" because Jews are indigenous to the Middle East. He said the ASA statement was racist because it didn't say anything

³⁵ Attachment O

about (b)(6); (b)(7)(C) presumably Jewish people indigenous to the Middle East. Students afterwards complained about the hostile learning environment created by this imposing man at the teach-in, which had itself been organized as a result of ASA majors wanting to have an honest conversation about Palestinian freedom and Asian American Studies, and the hostile anti-Arab and anti-Palestinian campus climate they experienced as non-Arab and non-Palestinian Asian American students.³⁶

(b)(6); (b)(7)(A) did not know who the man was. He listened to what the man had to say, and once the event ended, he approached the man. He told him he knew of many great books and sources about Jewish history in the Middle East that he'd be happy to share if the man wanted to learn more. The man responded that (b)(6); (b)(7)(A); (b)(7)(C)

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

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

After this interaction, (b)(6); (b)(7)(A) learned that the man was (b)(6); (b)(7)(A); (b)(7)(C) and that he was infamous on campus for (b)(6); (b)(7)(A); (b)(7)(C)

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

(b)(6); (b)(7)(A); (b)(7)(C) is known to attend many events led by students and faculty about Palestine to harass students and lambast them with the same accusations he threw at (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) He is often seen on campus (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A) Hillel explicitly engages in "on-campus Israel advocacy,"³⁷ sponsors birthright trips to Israel, and encourages students to study about at the Hebrew University of Israel through the UC Education Abroad Program, which may itself permit disparate and discriminatory treatment of Palestinians, Arabs, Muslims, and others who are discriminated against on the basis of race, nationality, ethnicity, religion, and political affiliation by the state of Israel. (b)(6); (b)(7)(A) does not know what (b)(6); (b)(7)(A) affiliation with Hillel is. After learning that many other students had had similar encounters with (b)(6); (b)(7)(A); (b)(7)(C) decided to file an HDAPP report about the incident.

On (b)(6); (b)(7)(A); (b)(7)(C) an HDAPP coordinator emailed (b)(6); (b)(7)(A) and told him that HDAPP can only respond to complaints about current UCD faculty, staff, or students, and that his complaint did not fall within any of those categories, so there was nothing they could do.³⁸ (b)(6); (b)(7)(A) had seen (b)(6); (b)(7)(A) on campus (b)(6); (b)(7)(A); (b)(7)(C) and had encountered (b)(6); (b)(7)(A) many times at campus meetings and events. (b)(6); (b)(7)(A) contacted HDAPP because he was told that that was where he should report incidents of harassment and discrimination on campus, but was left without a resolution.

³⁶ A faculty member who was present is known to the complainant and willing to speak to OCR

³⁷ See <https://hillelhouse.org/israel>

³⁸ Attachment P

3. Graduate Anti-Racism Symposium: Virtual Roundtable Presentation on Race and Speech

On [REDACTED] with [REDACTED] [REDACTED] as part of UCD's 4th Annual Graduate Anti-Racism Symposium. The [REDACTED] At the outset of the event, UCD [REDACTED] faculty [REDACTED] used the built in Q&A function to ask if the [REDACTED] was being recorded. He was informed by an event organizer that it was not, and he requested if he could record it on his local computer. [REDACTED] was informed by the host that "Graduate Studies will not be recording this session nor allow individuals to locally record this session to preserve the openness and integrity of the conversation this session invites." Later in the session, [REDACTED] used the Q&A function to ask a series of questions to speakers, including [REDACTED] implying that their discussion disregarded the existence of antisemitism.³⁹

[REDACTED] started by asking whether Jewish voices would be included in the symposium, citing a concern with a purported "uprise [sic] of antisemitism on campus..." Two minutes later he asked [REDACTED] if "Jewish Zionist students, faculty and staff have a space in [REDACTED] vision of multiculturalism [sic]." It was clear at this point that [REDACTED] was not interested in the content of the [REDACTED] because he was not paying attention to the substance of [REDACTED] comments, which actually advanced a critique of multiculturalism. Later, [REDACTED] asked the speakers whether they thought "that antisemitism is a problem on the rise that needs to be addressed? Do panel members recognize antisemitism as a form of anti-Jewish bigotry that comes from both extreme ends of the political spectrum [sic]?" Finally, [REDACTED] directly asked [REDACTED] if she suggested that Israel should not exist as a homeland for the Jewish people. It was clear to [REDACTED] other participants, and attendees that [REDACTED] understood that their perspectives on Zionism differed, and instead of dialoguing with the speakers, [REDACTED] sought to either harass and distract both participants and attendees, thereby keeping them from accessing the educational programming they had gathered to enjoy, or pressure participants into making statements he could then use to smear, defame, and further harass members of the UCD community.

[REDACTED] assertions that the panel was antisemitic because it included [REDACTED] who spoke about their research specialties and their own experiences as [REDACTED] on campus, is an example of the [REDACTED] racism prevalent at UC Davis. There was an open and implied threat of doxing by his request to record the event, meant to intimidate the panelists. The event was advertised as being for UC Davis graduate students, and a lunch was provided afterwards for graduate and postdoctoral students. A separate anti-racism symposium event occurred previous to this one specifically for faculty. That the UC Davis organizers of this event allowed the fear-mongering and racist comments to go on

³⁹ Attachment Q

as long as they did is an unacceptable abdication of their responsibility to prevent discrimination and harassment.

In the aftermath of this incident, at least one UCD faculty member, [REDACTED] reported [REDACTED] through UCD's HDAPP office. [REDACTED] after witnessing and experiencing the inefficacy of the HDAPP process, did not file a report.

III. Veterinary School

Palestinian, Arab, and Muslim (and those perceived to be) students and residents at the UC Davis School of Veterinary Medicine (hereinafter "SVM"), as well as allies to them, have experienced discriminatory treatment of their organizing efforts through disparate application and implementation of policy guidelines; they have been treated as if they pose a security threat purely based on their identity while being silenced and excluded as a result of their actual and perceived national-origin. Palestinian, Arab, and Muslim veterinary students and residents have faced egregious and vulgar harassment by faculty, staff, and other community members. As a result, students and residents have felt unsafe, unsupported, and targeted based on their identities. Due to this hostile environment, these students and residents at the Veterinary School are unable to benefit equally from educational and employment opportunities to which they are entitled, in clear violation of Title VI.

The following section focuses on the accounts of Resident A,⁴⁰ a staff member, student [REDACTED] as well as Students F and G at the SVM. Resident A's accounts are included to demonstrate how harm upon a resident of this protected class coincides with and compounds the hostility and harms experienced by students. Discrimination against and harassment of a resident informs pre-residency students that the same hostile treatment can and will be applied to them should they remain at UCD, and that the SVM's residency program maintains a racially hostile and unsafe environment. Additionally, much of the organizing at the SVM includes collective efforts by Resident A, [REDACTED] and Students F and G.

A. Censorship of Palestinian Voices by the Vet-Med Community

1. Censorship by Vet-Med Leadership

On [REDACTED] Resident A sent an email to [REDACTED] inviting him to the aforementioned October teach-in and asking him to distribute the flier among the Vet-Med community. Resident A received a response from [REDACTED] informing her that the information would be "shared with the leadership team."

⁴⁰ Resident A is known to complainants and willing to speak with OCR, but, for fear of retaliation, is unwilling to have her name shared with UCD as a complainant.

Resident A also emailed members of the House Officer Advisory Board (Hereinafter “HOAB”), an advisory group of faculty, residents, and interns, to distribute the flier for the event. (b)(6) (b)(6); (b)(7)(A); (b)(7)(C) responded to Resident A’s request stating that she had “run this by [the] hospital leadership, and [they] have a policy that [they] do not advertise events regarding events or issues that involve politics ... [they are] trying to keep [the] hospital’s focus on veterinary medicine.”

Resident A, confused by (b)(6); (b)(7)(A); (b)(7)(C) response, emailed back informing her that the panel was put together by UCD faculty and had already been distributed to other departments across the school. Additionally, Resident A expressed her confusion to (b)(6); (b)(7)(A); asking her why the school did not care about the ongoing genocide and explaining that what was occurring was not a political matter, but a humanitarian crisis, to which (b)(6); (b)(7)(A); responded: “ I agree that there is a humanitarian crisis occurring right now. I did some homework, and if you would like to request a school-wide communication in the future, you can send it to svmcommunication@ucdavis.edu.”

Hence, Resident A did as directed and emailed the flier to the address provided. She then received a response from (b)(6); (b)(7)(A); (b)(7)(C) who told her that they “don’t tend to distribute non-SVM [School of Veterinary Medicine] related emails to the school-wide lists.” Resident A followed up with (b)(6); (b)(7)(A); informing him that she was directed to email svmcommunication@ucdavis.edu by (b)(6); (b)(7)(A); herself. (b)(6); (b)(7)(A); reiterated (b)(6); (b)(7)(A); statement that they do not distribute information about “events or issues of political matters.” Yet, past mass emails sent to the Vet-Med community included discussions on political issues, such as the situation in Ukraine and the Uvalde shooting.⁴¹

Resident A, frustrated, responded by stating her disappointment with the Vet-Med leadership for misguiding her and censoring this event despite the teach-in being co-hosted by UC Davis faculty and various undergraduate, graduate, and professional school departments and organizations. She additionally expressed the lack of support she felt (b)(6); (b)(7)(A);

Censorship by Vet-Med leadership is ongoing. On (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) MENASA Vets, a student organization for Middle Eastern, North African, and South Asian (MENASA) students, faced similar censorship when she attempted to inform the vet community of Arab-American Heritage Month events co-hosted by their RSO and occurring on campus in April of 2024. She emailed svmcommunication@ucdavis.edu to share the flier.⁴² Once again, (b)(6); (b)(7)(A); informed (b)(6); (b)(7)(A); that “Our schoolwide emails are limited to official/school related communications, subject to our guidelines and university policies.” (b)(6); (b)(7)(A); (b)(7)(C) responded by asking (b)(6); (b)(7)(A); to explain why the Arab American Heritage Month email was

⁴¹ Attachment R

⁴² Attachment S

