



**United States Department of Education
Office for Civil Rights**

DISCRIMINATION COMPLAINT FORM

You do not have to use this form to file a complaint with the U.S. Department of Education's Office for Civil Rights (OCR). You may send OCR a letter or email instead of this form, but the letter or email must include the information in items 1-15 of this form. If you decide to use this form, please type or print all information and use additional pages if more space is needed. An online, fillable version of this form, which can be submitted electronically, can be found at:
<http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

Before completing this form, please read all information contained in the enclosed packet including: Information About OCR's Complaint Resolution Procedures, Notice of Uses of Personal Information and the Consent Form.

If you have questions about civil rights or how to file a complaint, you may contact OCR at 800-421-3481, 800-877-8339 (TTY), OCR@ed.gov, or by calling the enforcement office that serves your state or territory. Contact information for enforcement offices can be found at: <https://ocrcas.ed.gov/contact-ocr>.

If you have difficulty understanding English, you may, free of charge, request language assistance services for this Department information by calling 1-800- USA-LEARN (1- 800-872-5327) (TTY: 1-800-877-8339), or email us at: Ed.Language.Assistance@ed.gov. If you are a person with a disability, you may request disability-related assistance by contacting OCR at 800-421-3481, 800-877-8339 (TTY), OCR@ed.gov, or by calling the enforcement office that serves your state or territory. Contact information for enforcement offices can be found at: <https://ocrcas.ed.gov/contact-ocr>. To request this document in an alternate format such as Braille or large print please contact the Department at 202-260-0852 or om_eeos@ed.gov.

1. Name of person filing this complaint:

Last Name: (b)(6); (b)(7)(A); (b)(7)(C) **First Name:** (b)(6); (b)(7)(A); (b)(7)(C) **Address:** (b)(6); (b)(7)(A); (b)(7)(C)
City: (b)(6); (b)(7)(A); (b)(7)(C) **State:** (b)(6); (b)(7)(A); (b)(7)(C) **Zip Code:** (b)(6); (b)(7)(A); (b)(7)(C)
Primary number: (b)(6); (b)(7)(A); (b)(7)(C) **Alternate number:** _____
Email Address: (b)(6); (b)(7)(A); (b)(7)(C)

2. Name of person discriminated against (if **other** than person filing). If the person discriminated against is age 18 or older, we will need that person’s signature on this complaint form and the consent/release form before we can proceed with this complaint. If the person is a minor, and you do not have the legal authority to file a complaint on the student’s behalf, the signature of the child’s parent, guardian, or other authorized legal representative is required.

Last Name: _____ **First Name:** _____ **Address:** _____
Jewish students of UC Santa Barbara and entire Jewish community
City: _____ **State:** _____ **Zip Code:** _____
Primary Phone: _____ **Alternative Phone:** _____
Email Address: _____

3. OCR investigates discrimination complaints against schools, colleges and universities, institutions, and agencies which receive funds or other forms of financial assistance from the U.S. Department of Education and against public educational entities and libraries that are subject to the provisions of Title II of the Americans with Disabilities Act. Please identify the institution or agency that engaged in the alleged discrimination. If we cannot accept your complaint, we will attempt to refer it to the appropriate agency and will notify you of that fact.

Name of Institution: University of California, Santa Barbara
Address: University of Santa Barbara
City: Santa Barbara **State:** CA **Zip Code:** 93106
Department/School: _____

4. The regulations OCR enforces prohibit discrimination on the basis of race, color, national origin, sex, disability, or age. The regulations also ban retaliation against persons who assert the right to be free from discrimination. Please note the following:

- Discrimination based on race, color, and national origin includes failure to provide meaningful access to English learners and limited English proficient parents and guardians, as well as discrimination based on shared ancestry or ethnic characteristics or based on citizenship in a country with a dominant religion.

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Complaint Form, Consent Form, and Complaint Processing Procedures

Discrimination based on race, color, and national origin also includes discrimination, including harassment, because you and/or another individual are, for example, Jewish, Muslim, Arab, Hindu, or Sikh; or based on other ethnic and religious characteristics. For example, individuals who have been subjected to ethnic slurs (such as antisemitic or anti-Muslim harassment); harassed for how they look, dress, or speak in ways related to their ethnic background (such as skin color, religious attire, or language spoken); or stereotyped based on their perceived ethnic characteristics.

- Discrimination based on sex includes discrimination based on sex stereotypes, pregnancy or related conditions, sexual orientation, and gender identity, as well as rules about parental, family, or marital status that treat people differently based on sex.
- Discrimination based on disability includes discrimination against individuals who have a physical or mental impairment that substantially limits a major life activity, as well as individuals who have a record of or are regarded as having a disability.
- Discrimination based on age does not limit protection against discrimination to a certain age group (e.g., people over 40); however, there are a variety of exceptions to the relevant Federal law that may permit age to be taken into account.
- Retaliation refers to actions taken for the purpose of interfering with any rights under the laws enforced by OCR, or because you made a complaint, testified, or participated in any manner in an OCR proceeding.

Please indicate the basis of your complaint:

Discrimination **based on race (specify)**

Discrimination **based on color (specify)**

Discrimination **based on national origin (specify)**
anti-Semitism

Discrimination **based on sex (specify)**

Discrimination **based on disability (specify)**

Discrimination **based on age (specify)**

Retaliation because you filed a complaint or otherwise asserted rights under laws enforced by OCR (specify)

Violation of the Boy Scouts of America Equal Access Act (specify)

5. Please describe each alleged discriminatory act. For each action, please include the date(s) the discriminatory act occurred, the name(s) of each person(s) involved and, why you believe the discrimination was because of race, disability, age, sex, etc. Also please provide the names of any person(s) who was present and witnessed the act(s) of discrimination.

1. UCSB's multicultural center's official Instagram account began to post anti-Zionist sentiments.
2. Dorm rooms of Jewish students were vandalized
3. Jewish group was harassed
4. UCSB's multi-cultural center had a sign saying "Zionists Are Not Welcome. And Stay Away From Our Kitchen Too!"

6. Do you have documents or written information that you think will help us to understand your complaint?

- No
 Yes

If yes, please describe the documents or written information you have.

<https://abc7.com/uc-santa-barbara-antisemitic-signs-multicultural-center-instagram-anti-zionist/14474548/>

<https://www.independent.com/2024/02/28/signs-at-multicultural-center-at-uc-santa-barbara-spell-out-anti-zionist-messages/>

If OCR investigates your complaint, we may ask you to provide us the items you describe above.

7. What is the most **recent date** you were discriminated against?

Date: February 2024

8. If this date is **more than 180 days ago**, you may request a waiver of the filing requirement.

I am requesting a waiver of the 180-day time frame for filing this complaint.

Please explain why did not file your complaint within 180 days.

9. Have you complained about the allegations that you raise in this complaint to your school, institution, or another organization or agency?

YES

NO

If yes, have you complained about the allegations that you raise in this complaint by:

filing an internal complaint or appeal with your school or institution?

participating in your school or institution's grievance procedures?

participating in a due process hearing either at your school or institution, or through another organization or government agency?

If you answered **yes to any of the above questions**, please describe the allegations that you raised in an internal complaint or appeal, through your school or institution's grievance procedures, or in a due process hearing, identify the date you complained about the allegations and where you made the complaint, and tell us the status of the complaint, appeal, grievance procedures, or due process hearing. If possible, please provide us with a copy of your complaint or grievance or appeal or due process request and, if completed, the decision in the matter.

10. If the allegations contained in this complaint have been filed with any other Federal, state or local civil rights agency, or any Federal or state court, please give details and dates. We will determine whether it is appropriate to investigate your complaint based upon the specific allegations of your complaint and the actions taken by the other agency or court.

Agency or Court: _____

Date Filed: _____

Case Number or Reference: _____

Results of Investigation/Findings by Agency or Court:

11. You do not need to have a lawyer to file a complaint with OCR; however, if you do have a lawyer, OCR staff are required to communicate directly with your lawyer. If you have a lawyer representing you in this matter, please provide the lawyer's contact information.

Last Name: _____ First Name: _____

Telephone: _____ Email: _____

12. If we cannot reach you at your home or work, we would like to have the name and telephone number of another person (relative or friend) who knows where and when we can reach you. This information **is not required**, but it will be helpful to us.

Last Name: First Name:
Telephone: Email:

13. **Option to Participate in OCR's Early Mediation Process**

OCR provides an early mediation process as an opportunity for you and the recipient institution to voluntarily resolve your complaint soon after you file it with OCR.

Mediation is a form of complaint resolution that OCR offers as an alternative to its investigative process. Mediation is an informal process in which a staff member from OCR who is trained in mediation assists the parties to reach a negotiated resolution of the complaint. The mediator does not decide who is right or wrong and does not have the authority to impose a settlement on the parties. Instead, the mediator helps the parties to find a mutually acceptable resolution to your complaint. Mediation is a strictly voluntary process. If either party does not want to participate in mediation, OCR will address the complaint through its regular processes.

If you are interested in participating in the early mediation process, you must check the box below. If you indicate your interest in early mediation by checking the box below **and** OCR determines that your complaint is appropriate for this process, OCR will contact you and the recipient institution and offer this resolution option. If the recipient agrees to participate in early mediation, OCR will work with you and the recipient to achieve a mutually agreeable resolution of your complaint. If the recipient does not wish to participate in early mediation, OCR will proceed with its regular processing of your complaint. ***If you do not indicate your interest in early mediation by checking the box below, early mediation will not be offered to you and OCR will proceed with its regular processing of your complaint.***

I am interested in participating in early mediation (Please check box):

NOTE: You **MUST** submit a signed Consent Form to OCR if you want to participate in early mediation.

14. What would you like the institution to do as a result of your complaint — what remedy are you seeking?

1. The school must be restructured, removing faculty who "educate" for hate and are involved in other political activity
2. School must modify its curriculum, to teach inclusion (including Jews)
3. School must discipline the perpetrators
4. School must attend to the victims
5. School must be more responsive to such violations

15. We cannot accept your complaint if it has not been signed. Please sign and date your complaint below.

2/29/2024
(Date)

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

(Signature)

(Date)

(Signature of person in Item 2)

Please mail or email the completed and signed Discrimination Complaint Form, your signed consent form and copies of any written material or other documents you believe will help OCR understand your complaint to the OCR Enforcement Office responsible for the state where the institution or entity about which you are complaining is located. You can locate the mailing information for the correct enforcement office on OCR's website at <https://ocrcas.ed.gov/contact-ocr>.



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

March 21, 2024

Chancellor Henry Yang
5221 Cheadle Hall
Santa Barbara, CA 93106-2030

By email only to: henry.yang@ucsb.edu

Re: University of California, Santa Barbara - OCR Case Number 09-24-2228

Response required by: April 4, 2024

Dear Chancellor Yang:

On February 29, 2024, the U.S. Department of Education (the Department), Office for Civil Rights (OCR), received a complaint against the University of California, Santa Barbara (the University). The Complainant alleges that the University discriminated against Jewish students on the basis of their national origin (shared Jewish ancestry) when the University failed to respond adequately to incidents of alleged harassment by other students, including targeted signs posted at the University's MultiCultural Center (the Center) and similar messages posted to the Center's social media account, dorm rooms of Jewish students being vandalized, and a Jewish group on campus being harassed during the spring 2024 semester.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulations, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin under any program or activity receiving 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 by other students based on national origin.

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 and addresses the allegation 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, under Section 201(b) of OCR's CPM. Under that provision, if both parties are interested and if OCR determines that the individual allegations are appropriate for mediation, the parties may voluntarily resolve these complaint allegations through mediation that OCR will facilitate. Note that in such a case OCR does not monitor or enforce the agreement reached between the parties.

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

On receipt of this letter, **please contact Blake Mollberg of OCR San Francisco at malissa.mollberg@ed.gov** with the name, title, email, and telephone number of the person you designate to be OCR's primary point of contact for the investigation of this complaint. Your cooperation is appreciated. If you have any questions, please contact Blake Mollberg.

Sincerely,

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

Sara Berman
Team Leader

Enclosures

U.S. Department of Education - Office for Civil Rights, San Francisco
Initial Data Request
University of California, Santa Barbara
OCR Docket No. 09-24-2228

OCR requests that this information reach our office by **April 4, 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:

- 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 Blake Mollberg at malissa.molberg@ed.gov to receive online portal information to upload data.
- Email:** Blake Mollberg at malissa.mollberg@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

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 also 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 any and all documents that are relevant to OCR’s review of this matter, regardless of whether OCR has specifically 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 academic 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. State whether the allegation has been or is currently under investigation by the University or with another agency or court. If so, please provide the status of any investigation, any related complaint, and any determinations made by the University, the agency, or the court, including interim determinations.
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, against students, faculty, and staff on the basis of national origin (shared ancestry). 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, parents, and staff of the policies and procedures referred to in Item. 2. Please provide copies of all materials disseminated to students, parents, and staff or provide links to the webpages where these materials are posted.
5. For the 2023-2024 academic year, a copy of all formal and informal complaints and reports (or a detailed description if no copy exists) of discrimination, including harassment, based on national origin, including shared ancestry, of students at the University. 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 member, staff, 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 employed 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 individual and or University-wide corrective actions, and the date(s) of such action(s);
 - 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; and
 - 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 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 based on shared ancestry. 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. To the extent not covered by any request above, copies of any email(s), correspondence, and/or social media post(s) received by the University relating to incidents of alleged harassment described above, as well as any written or electronic notices or correspondence sent from any University staff regarding antisemitism or hate incidents during the 2023-2024 academic year.
8. The name, job title, address, telephone number, fax number, and email address of the University contact person for this complaint.
9. Any other information the University believes will assist OCR in its investigation.