

From: (b)(6); (b)(7)(A); (b)(7)(C)
To: OCR; OCR San Francisco
Subject: Subject: Formal Complaint Regarding Systemic Anti-Semitism on UC Campuses
Date: Tuesday, February 27, 2024 9:41:40 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Systemic Anti-Semitism on UC Campuses

Dear Office for Civil Rights,

I am writing to bring to your attention a matter of grave concern regarding the University of California (UC) campuses' failure to effectively address systemic anti-Semitism, which is in violation of Title VI.

Over the past years, there has been a noticeable rise in incidents targeting individuals of Jewish ancestry on UC campuses, perpetuated by certain faculty groups openly siding with the Palestinian cause. These groups have created an environment where anti-Israeli sentiment is not only tolerated but actively promoted, leading to the demonization of individuals with Jewish heritage as somehow responsible for the situation in Gaza.

This discrimination, based solely on shared ancestry, is a clear violation of Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. The UC Board of Regents has a duty to uphold these regulations and ensure that all students and faculty members are provided with an environment free from hostility and discrimination.

It is unacceptable that members of the Jewish community on UC campuses are subjected to such hostility and intimidation, which not only infringes upon their rights but also undermines the principles of academic freedom and diversity that are supposed to be the cornerstone of higher education institutions.

I urge the Office for Civil Rights to launch a thorough investigation into these allegations of systemic anti-Semitism at UC campuses and to take appropriate action to ensure that Title VI is upheld and that all students and faculty members are protected from discrimination and harassment.

Thank you for your attention to this matter. I look forward to your prompt response and action on this important issue.

Sincerely,

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

“

Pointing to the emergence of groups such as Faculty for Justice in Palestine, the letter calls on the regents to “take decisive action to ensure that University policies proscribing such behavior are robustly enforced...[thereby] addressing a problem that threatens to do great harm not just to Jews, but to the entire University.”

“

In the aftermath of Oct. 7, college campuses have emerged as hotbeds of anti-Israel activity, with recurring demonstrations from pro-Palestinian activists, including one at UC Santa Cruz that blocked traffic for hours. Anecdotally, accounts of antisemitic acts against Jewish students, such as bullying, harassment and assault, have been wide-ranging. And social media posts from some UC faculty have crossed the line into threats.”

<https://jweekly.com/2024/01/26/uc-regents-consider-policy-to-keep-anti-zionist-statements-off-official-websites/>



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

May 28, 2024

Chancellor Cynthia Larive
Chancellor's Office, Kerr Hall
University of California, Santa Cruz
Santa Cruz, CA 95064

By email only to: chancellor@ucsc.edu

Re: University of California, Santa Cruz - OCR Case Number 09-24-2224

Response required by: June 18, 2024

Dear Chancellor Larive:

On February 27, 2024, the U.S. Department of Education (the Department), Office for Civil Rights (OCR), received a complaint against the University of California (the University). The Complainant alleges that the University failed to respond adequately to incidents of alleged harassment of students on the basis of national origin (shared Jewish ancestry) by Critical Race and Ethnic Studies Department (CRES) faculty to include posting "anti-Zionist propaganda" on the CRES website, shutting down the CRES Department and calling for students to boycott classes as part of a strike against Israel, and promoting and participating in a protest rally that endangered the safety of the University community.

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, and 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 based on national origin (shared Jewish ancestry).

Please note that opening an investigation in no way implies that OCR has made a determination with regard to its merits. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the complainant, the recipient, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient as required by [OCR's Case Processing Manual \(CPM\) \(July 18, 2022\)](#). Please open this link for additional information about [OCR's Complaint Processing Procedures](#). OCR also would like to make you

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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

Attachment: Initial Data Request

U.S. Department of Education - Office for Civil Rights, San Francisco
Initial Data Request
University of California, Santa Cruz
OCR Docket No. 09-24-2224

OCR requests that this information reach our office by **June 18, 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.

