

From: OCR <OCR@ed.gov>

Sent: Thursday, December 7, 2023 6:46 AM

To: Wills, Randolph <Randolph.Wills@ed.gov>

Cc: Nosanchuk, Matt <Matt.Nosanchuk@ed.gov>; Dixon, Monique <Monique.Dixon@ed.gov>;

Gunnarson, Heather <Heather.Gunnarson@ed.gov>

Subject: Antisemitism at USF emails

Good morning –

The OCR mailbox has received approximately 420 emails thus far concerning alleged antisemitism at USF. (b)(5)

(b)(5) I have copied the text from one of them (they are identical) below. If you'd like the CST to do anything else with the emails, please let me know.

There have been over 20 Antisemitic incidents at the University of South Florida (USF) orchestrated by student groups and permitted by the USF Administration since the Hamas massacre on October 7, 2023. Most recently, last Friday, a six-hour sit-in occurred at the USF Library terrorizing Jewish students attempting to study for their final exams. All of these Antisemitic events interfere with Jewish students' abilities to learn and have equal access to their education. Jewish students do not feel safe and are being intimidated; the USF Administration and the USF Police are silent bystanders.

USF must unequivocally and openly denounce all forms of Antisemitism and terrorism. The University of South Florida must hold accountable the students, student groups and internal USF staff perpetuating Antisemitism and creating a hostile environment for Jewish students.

Thank you.

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

#DoYourJob #CondemnTerrorism

#MothersAgainstCollegeAntisemitism

#CombatAntisemitism

#EndJewHatred



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION IV

61 FORSYTH ST., SOUTHWEST, SUITE 19T10
ATLANTA, GA 30303-8927

REGION IV
ALABAMA
FLORIDA
GEORGIA
TENNESSEE

February 5, 2024

VIA EMAIL ONLY: president@usf.edu

Rhea F. Law
President
University of South Florida
Office of the President
4202 E. Fowler Avenue, CGS, 401
Tampa, Florida 33620

Re: OCR Complaint No. 04-24-2069

Dear President Law:

This letter is to notify you that the U.S. Department of Education, Office for Civil Rights (OCR), is opening for investigation the above-referenced complaint against the University of South Florida (University) alleging that the University discriminated against students on the basis of national origin (shared Jewish ancestry) by failing to respond to incidents of harassment in October and November 2023.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. Section 2000d *et seq.*, and its implementing regulation, at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin, including shared ancestry, in any program or activity receiving federal financial assistance from the U.S. Department of Education. Because the University receives federal financial assistance from the U.S. Department of Education, OCR has jurisdiction over it pursuant to Title VI.

OCR will investigate whether the University responded to alleged harassment of students based on national origin (shared Jewish ancestry) consistent with the requirements of Title VI.

Please note that opening an investigation in no way implies that OCR has made a determination on the merits of the complaint. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the Complainant, the University, and other sources, as appropriate. OCR will conduct its investigation in accordance with its Case Processing Manual. OCR's complaint processing procedures can be found here: [OCR Case Processing Manual \(ed.gov\)](#).

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

www.ed.gov

Our goal is the prompt, appropriate resolution of the complaint. While we are proceeding with an investigation, there are other approaches that can achieve this goal. In particular, please note the section on resolution of a complaint prior to the conclusion of an investigation. If the University expresses an interest in resolving the complaint and OCR determines that resolution of the complaint prior to the completion of the investigation is appropriate, OCR may attempt to negotiate an agreement with the University pursuant to Section 302 of the Case Processing Manual.

Attached is a request for data necessary to investigate this complaint. The Department's regulation implementing Title VI, at 34 C.F.R. § 100.6 gives OCR the authority to request this information. Please note that OCR has the right of access to records that are necessary for OCR's investigation, even if those records contain names or other personally identifiable information. *See* 20 U.S.C. §§ 1232g(b)(1) and 1232g(b)(3) regarding the applicable provisions of the Family Educational Rights and Privacy Act; *see also* 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii).

Attached is a request for data necessary for OCR's investigation. Please be aware that OCR may need to make additional requests for information in the future. If OCR needs to conduct an on-site investigation, we will schedule the visit in advance.

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

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

We look forward to your cooperation during the resolution of this complaint. If you have any questions, please contact me at (202) 987-1396 or via email at michael.bennett@ed.gov.

Sincerely,

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

MICHAEL
BENNETT

Michael Bennett
Compliance Team Leader

Enclosure

**University of South Florida
OCR Complaint No. 04-24-2069
Data Request**

Please submit the following information to Michael Bennett at michael.bennett@ed.gov within 21 calendar days of the date of this letter (i.e., by February 26, 2024). We prefer that you submit information electronically, if feasible. If you are sending a large electronic file, please contact OCR for directions on how to upload the file to OCR's secure file-sharing platform. Additionally, if any of the information is available online, you may provide the URL in lieu of hard copy documents. Please note that OCR is not requesting, and the University should not provide, any social security numbers in response to this data request. If any item in our request is unclear, or if you experience any difficulty complying with this request, please contact us prior to the expiration of the 21-day period.

Preservation of requested and relevant data and documents: OCR may request supplemental data and documents that are relevant to the allegation(s) under investigation. 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 any timeframe specified in these requests and going forward until OCR closes this case. Please also ensure that recipient employees preserve other data and documents that are relevant to the allegation(s) under investigation until OCR closes this case.

Please provide the following data by **February 26, 2024**:

1. The name, title, and contact information of the University's:
 - a. Contact person for this complaint;
 - b. Person authorized to resolve this complaint; and
 - c. Person responsible for responding to Title VI complaints.
2. A copy of the University's policies and procedures and a description of the University's practices governing the investigation of complaints of discrimination, including harassment on the bases of national origin, including shared ancestry. Include a detailed description of the complaint process, including each level of the process, articulated timeframes for resolution and the types of records maintained. Also identify the names and titles of University staff responsible for handling complaints of discrimination and/or harassment on the bases of national origin/shared ancestry, at each level of the process.
3. For the 2022-23 and 2023-24 academic years, all formal and informal reports/complaints, including records of oral reports/complaints, concerning alleged discrimination, including harassment, based on national origin, including shared ancestry, and the University's response to those complaints, including (but not limited to) correspondence, internal and external memoranda, investigative reports, witness statements, logs, forms, meeting minutes and notes generated for each complaint. For each identified report, please provide the following:

- a. the name(s) and title(s) of the individual(s) to whom the complaint/report was made, the date of the complaint/report, and the date of the incident;
 - b. a detailed description of the complaint processing procedures employed to resolve the report/complaint;
 - c. the length of the investigative process;
 - d. the name(s) and title(s) of the individual(s) involved in the handling of the report/complaint;
 - e. all actions the University took in response to the report/complaint;
 - f. the University's final determination regarding the report/complaint;
 - g. any corrective action taken, including discipline and/or supportive measures; and
 - h. any notice of the findings provided to the complainant.
4. A detailed description of any training regarding discrimination, including harassment, based on national origin, including shared ancestry, provided to University staff and students. For each such training provide the dates of such training, a description of the training, a list of the names (and titles where appropriate) of the individuals who attended the training, and copies of any materials distributed during the training.
5. Documentation of any efforts by the University during the 2023-2024 academic year to prevent or address discrimination, including harassment, based on national origin, including shared ancestry.
6. A narrative response to the issue raised in this complaint if the University wishes to provide this information.
7. Any other information that the University believes will be helpful to OCR or relevant in this investigation.