

From: OCR
To: OCR Philadelphia
Cc: (b)(6); (b)(7)(A); (b)(7)(C)
Subject: FW: VI Complaint Against Temple University, 1801 N. Broad Street, Philadelphia, PA 19122 USA (National Origin – Jewish)
Date: Tuesday, January 9, 2024 3:27:33 PM
Attachments: [image001.png](#)

January 9, 2024

Dear OCR Philadelphia Office,

The email below is being forwarded to your office for review and appropriate handling.

Thank you,

OPEN Center Customer Service Team
Office for Civil Rights
U.S. Department of Education

From: (b)(6); (b)(7)(A); (b)(7)(C)
Sent: Tuesday, January 9, 2024 3:23 PM
To: OCR <OCR@ed.gov>
Subject: VI Complaint Against Temple University, 1801 N. Broad Street, Philadelphia, PA 19122 USA (National Origin – Jewish)

You don't often get email from (b)(6); (b)(7)(A); (b)(7)(C) [Learn why this is important](#)

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.

Submitted via email
2024

January 9,

U.S. Department of Education
Office for Civil Rights
400 Maryland Ave., SW
Washington, DC 20202
Email: OCR@ed.gov

Re: Title VI Complaint Against Temple University, 1801 N. Broad Street, Philadelphia, PA 19122 USA (National Origin – Jewish)

Dear Assistant Secretary Catherine Lhamon,

Since the terrorist attacks on Israel of October 7, 2023, Jewish students are increasingly unwelcome, unsafe, and discriminated against as a member of this university community.

The October 7 Hamas attack on Israel killed over 1,400 innocent people including at least 30 Americans.^[1] This was the deadliest Palestinian militant attack on Israel in history and the single deadliest day for Jews since the Holocaust.^[2]

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

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

(b)(6); (b)(7)(A); (b)(7)(C) that Temple University Students for Justice in Palestine (TUSJP) took part in a protest against a local Jewish-owned restaurant in Philadelphia. The group chanted for intifada and “from the river to the sea.”

[Campus Reform | Philadelphia college students part of protest that called for 'intifada,' targeted Jewish-owned business](#)

There are other incidents too:

On October 12, TUSJP held a pro-Palestine rally.^[3] This rally was endorsed by student groups including Penn Against the Occupation, Drexel Students for Justice in Palestine (SJP), La Salle SJP, and Police Free Penn. These groups, along with TUSJP, co-signed a statement supporting the Palestinian cause.^[4]

Students for Justice in Palestine is a recognized student group at Temple, meaning that they are eligible to receive funds from the public university.^[5]

On October 25, TUSJP organized a rally in support of Palestine on Temple’s campus. They chanted slogans like “From the river to the sea, Palestine will be free,” and “Gaza, Gaza you will rise, Palestine will never die.”

The phrase “from the river to the sea” supports the expulsion, and even genocide, of Israel’s Jewish inhabitants. Additionally, it rejects a peaceful solution to the conflict, where Israel and Palestine could have a two-state solution and live side-by-side. It calls for the eradication of Israel in its entirety.^[6]

Protesters marched outside of the Temple president’s office, continuing their chants and holding signs with phrases like, “There is no peace within an occupation,” and “Stop apartheid, end occupation.”^[7]

The phrase “Israeli occupation” is a fiction. Israel is not “occupying” Gaza. Israel fully

left the Gaza Strip, which Hamas controls, in 2005. Israel removed 8,000 civilians and all military presence there. Immediately after Israel left Gaza, Hamas and other terrorist organizations began shooting rockets at Israel.^[8]

These violent words completely disregard the atrocities Hamas has committed against the people of Israel, including raping, murdering, and kidnapping civilians. There are still approximately 200 people held captive by Hamas, along with 50 others being held by other terror factions.^[9]

I am writing to you (b)(6); (b)(7)(A); (b)(7)(C) who has spoken to numerous Jewish students across this country to afraid to speak up. I'm choosing to speak up for them because the University takes no action to protect them.

Members of Congress are currently discussing additional protections from the Department of Education for Jewish college students amid the current wave of antisemitic incidents.^[10] But no such discussions appear to be occurring at Temple University despite very clear threats. I am not alone among Jewish students in feeling threatened and discriminated against.

Therefore, I ask the U.S. Department of Education's Office for Civil Rights to conduct an immediate investigation against Temple University. We are seeking to force Temple to ensure its funds are not sent to organizations spreading antisemitism.

For the record, I do give OCR my consent to disclose my name nor other personal information contained in this Title VI complaint to others for OCR's investigation of, and enforcement activities related to, the complaint. I understand that OCR may have to close my complaint. I am not interested in participating in early mediation. I do not have an attorney representing me in this matter. I have not complained about these allegations to the University.

Sincerely,

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

[1] <https://www.foxnews.com/live-news/october-24-israel-hamas-war>

² <https://www.theguardian.com/world/2023/oct/12/israel-hamas-war-biden-jews-holocaust-palestine-iran-warning>

³ <https://twitter.com/PhillyCrimeUpd/status/1712600116761186330?s=20>

⁴ <https://www.shorenewsnetwork.com/2023/10/12/pro-palestine-rally-takes-place-at-temple-university-amidst-growing-support-from-local-organizations/>

⁵ <https://temple.campuslabs.com/engage/organization/sjp>

⁶ <https://aish.com/why-the-from-the-river-to-sea-chant-is-antisemitic/>

⁷ <https://temple-news.com/free-free-palestine-students-gather-in-solidarity-with-palestine/>

⁸ <https://aish.com/facts-every-college-student-needs-to-know-about-israel/>

⁹ <https://nypost.com/2023/10/17/israel-hamas-war-live-updates-and-latest-news/>

[1]⁰ <https://www.washingtonexaminer.com/news/house/israel-war-day-resistance-college-protection-jewish-students>

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

[1] <https://www.foxnews.com/live-news/october-24-israel-hamas-war>

[2] <https://www.theguardian.com/world/2023/oct/12/israel-hamas-war-biden-jews-holocaust-palestine-iran-warning>

[3] <https://twitter.com/PhillyCrimeUpd/status/1712600116761186330?s=20>

[4] <https://www.shorenewsnetwork.com/2023/10/12/pro-palestine-rally-takes-place-at-temple-university-amidst-growing-support-from-local-organizations/>

[5] <https://temple.campuslabs.com/engage/organization/sjp>

[6] <https://aish.com/why-the-from-the-river-to-sea-chant-is-antisemitic/>

[7] <https://temple-news.com/free-free-palestine-students-gather-in-solidarity-with-palestine/>

[8] <https://aish.com/facts-every-college-student-needs-to-know-about-israel/>

[9] <https://nypost.com/2023/10/17/israel-hamas-war-live-updates-and-latest-news/>

[10] <https://www.washingtonexaminer.com/news/house/israel-war-day-resistance-college-protection-jewish-students>



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

THE WANAMAKER BUILDING, SUITE 515
100 PENN SQUARE EAST
PHILADELPHIA, PA 19107-3323

REGION III
DELAWARE
KENTUCKY
MARYLAND
PENNSYLVANIA
WEST VIRGINIA

January 16, 2024

VIA EMAIL ONLY

Richard M. Englert
President
Office of the President
Sullivan Hall, Second Floor
1330 Polett Walk
Philadelphia, PA 19122
president@temple.edu

Re: OCR Complaint No. 03-24-2103

Dear President Englert:

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 filed against Temple University (University). The Complainant alleges that the University discriminated against students on the basis of national origin (shared Jewish ancestry) by failing to respond to incidents of harassment during the 2023-2024 school year.

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 is opening the following issue for investigation:

Whether the University failed to respond to alleged harassment of students on the basis of national origin (shared Jewish ancestry) in a manner consistent with the requirements of Title VI.

Please note that opening the complaint for 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 ensure that its investigation is legally sufficient and fully responds to the allegation in accordance with the provisions of the *Case Processing Manual*.

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

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

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 of the Civil Rights Act of 1964, at 34 C.F.R. § 100.6(c) 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).

OCR requests that the University submit this information within 21 calendar days of the date of this letter (i.e., by **February 6, 2024**). We prefer that you submit information electronically, if feasible. If any item in our request is unclear, or if you experience any difficulty complying with this request, please contact us at the telephone number(s) provided below prior to the expiration of the 21-day period. 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 notify you 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 Connor Lacy, Team Attorney, at 215-656-6459 or connor.lacy@ed.gov.

Sincerely,

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

Andrea DelMonte
Team Leader/Supervisory Attorney
Philadelphia Office
Office for Civil Rights

Temple University
OCR Complaint No. 03-24-2103
Data Request

Please submit the following information to Connor Lacy within 21 calendar days of the date of this letter (i.e., by **February 6, 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. 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 notify you in advance.

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 University employees preserve other data and documents that are relevant to the allegation(s) under investigation until OCR closes this case.

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 data by **February 6, 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;
 - c. Person responsible for responding to Title VI complaints; and
 - d. Person responsible for handling complaints of harassment and/or discrimination on the basis of national origin, including shared Jewish ancestry, at each level of the process.

2. A copy of the University's policies and procedures and a description of the University's practices governing the investigation of complaints of harassment and/or discrimination on the basis of national origin, including shared Jewish ancestry. Include a detailed description of the complaint process, including each level of the process, the length of the process, and the types of records maintained.

3. All formal and informal reports/complaints of antisemitism during the 2023-2024 school year, including records of oral reports/complaints regarding conduct that occurred during an October 12 and 25, 2023 pro-Palestine rally.
4. All formal and informal reports/complaints, including records of oral reports/complaints, concerning alleged harassment and/or discrimination based on national origin, including shared Jewish ancestry. The University's response is to include information for the 2022-2023 and 2023-2024 academic years. For each report/complaint in response to Item 3 and 4, 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.
5. All documentation related to any and/or all complaints/reports identified in response to Item 3 and 4, including but not limited to correspondence, internal and external memoranda, investigative reports, witness statements, logs, forms, meeting minutes, personnel file documents, disciplinary documents, supportive measures provided, and notes generated for each complaint.
6. A statement regarding whether the University conducts trainings and/or holds informational sessions with the student community and/or University staff regarding students' rights under Title VI, how to report possible violations of Title VI, and/or the University's obligation to respond to Title VI complaints. If so, provide the dates of such events, a description of the attendees, and any materials presented and/or distributed.
7. The names and titles of all persons who assisted in the preparation of these data responses.
8. A narrative response to the issue opened for investigation.
9. Any other information that the University believes will be helpful to OCR or relevant in this investigation.