

From: [OCR](#)
To: [OCR Seattle](#)
Cc: [\(b\)\(6\); \(b\)\(7\)\(A\); \(b\)\(7\)\(C\)](#)
Subject: FW: reporting a campus antisemitism incident
Date: Friday, February 23, 2024 5:24:20 AM
Attachments: [image.png](#)

Good morning OCR Seattle,
We are forwarding the below complaint to you for review and appropriate handling.
Thank you,
OPEN Center Customer Service Team
Office for Civil Rights

From: [\(b\)\(6\); \(b\)\(7\)\(A\); \(b\)\(7\)\(C\)](#)
Sent: Thursday, February 22, 2024 10:25 PM
To: OCR <OCR@ed.gov>
Subject: reporting a campus antisemitism incident

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.

I would like to report a series of antisemitic occurrences at Eastern Washington University in Cheney, WA, [\(b\)\(6\); \(b\)\(7\)\(A\); \(b\)\(7\)\(C\)](#) and she attends the school. She says she feels unsafe on campus and is now careful to not [\(b\)\(6\); \(b\)\(7\)\(A\); \(b\)\(7\)\(C\)](#) She spoke to the Dean in November but nothing has changed.

Since 10/7/23 there have been frequent Pro-Palestinian marches. That would be fine since everyone should be free to express their opinions, but the marches are hateful. People regularly chant "From the River to the Sea" and "Jews are Committing Genocide". The Political Science Department has scheduled public talks that quickly get out of hand and are taken over by radicals who endorse Hamas and accuse Jews - not Israelis - of being baby killers and murderers.

Here is an example of a talk that will be held next week (2/26/24).



EASTERN
WASHINGTON UNIVERSITY

A Teach-in Sponsored by:

International Affairs Program

School of Social Work

APPROVED
FEB. 27, 2024

THE MASSACRE IN GAZA: SECURITY OR GENOCIDE?

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



MAIN
SPEAKER

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

PALESTINIAN-
AMERICAN POLITICAL
ANALYST



PANELISTS

EASTERN
WASHINGTON
UNIVERSITY

FEBRUARY 26th

12:00 – 2:00pm



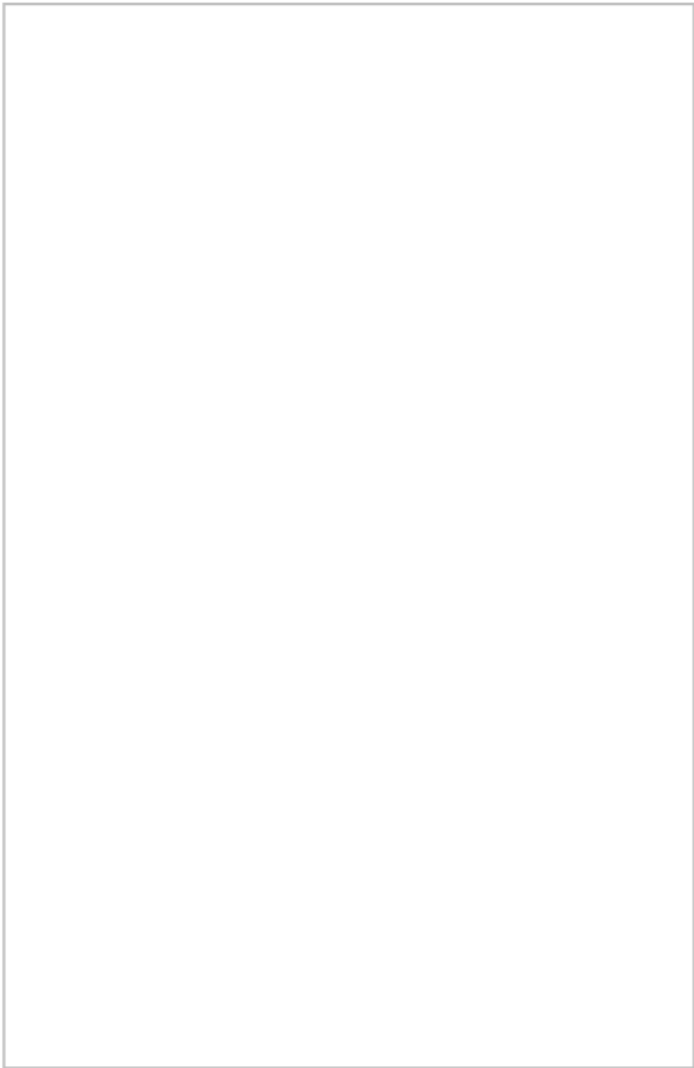
Hargreaves
Reading Room



Scan to
join the
Webinar

ewu.zoom.us/j/88603163949

People needing accommodations should contact (b)(6); [redacted] at [redacted] by February 20, 2024.



Please investigate the university.

Sincerely,

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



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

915 2nd AVENUE, ROOM 3310
SEATTLE, WA 98174-1009

REGION X

ALASKA
AMERICAN SAMOA
GUAM
HAWAII
IDAHO
MONTANA
NEVADA
NORTHERN MARIANA ISLANDS
OREGON
WASHINGTON

March 12, 2024

Via email only to: president@ewu.edu

Dr. Shari McMahan
Eastern Washington University
526 5th Street 214 Showalter Hall,
Cheney, Washington 99004

Re: Eastern Washington University, OCR Reference Number 10242113

Dear President McMahan:

The purpose of 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 Eastern Washington University. The Complainant alleges that the University discriminated against students on the basis of their national origin (shared Jewish ancestry) by failing to respond to incidents of harassment during the 2023-2024 academic year.

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

OCR is opening for investigation the following issue:

Whether the University failed to respond to alleged harassment of students based on national origin 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 its investigation is legally sufficient and fully responds to the allegation in accordance with the provisions of the [Case Processing Manual](http://www.ed.gov/ocr/docs/ocrspm.pdf) (<http://www.ed.gov/ocr/docs/ocrspm.pdf>) (CPM).

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 CPM Section 302.

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

As part of its investigation, OCR is requesting information from the University. The regulation implementing Title VI of the Civil Rights Act of 1964, at 34 C.F.R. § 100.6, requires that a recipient of federal financial assistance make available to OCR information that may be pertinent to reach a compliance determination.

In addition, in accordance with the regulation implementing the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, at 34 C.F.R. § 99.31(a)(3)(iii), and the Title VI regulation at 34 C.F.R. § 100.6(c), OCR may review personally identifiable records without regard to considerations of privacy or confidentiality. Please do **not** provide any Social Security numbers in your data response. If any responsive documents contain Social Security numbers, please redact the Social Security numbers before producing the responsive documents to OCR.

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 submit the following information by **March 27, 2024**:

1. The name, job title, and contact information of the University's point of contact for this matter.
2. The name(s) and title(s) of University staff responsible for investigating incidents of discrimination and harassment based on national origin, including shared ancestry, during the 2022-2023 and 2023-2024 academic years.
3. A copy of the University's notice of nondiscrimination. In addition, provide all existing internet links to any notice or policies of nondiscrimination referenced in response to this item. Please also provide an explanation of where and how such notices and policies are otherwise publicized or disseminated to students, faculty, staff, administrators, and others.
4. A copy of the University's policies and procedures, and/or a description of the University's practices and protocols, governing the investigation of complaints of harassment and/or discrimination on the basis of national origin, including shared ancestry. Include a detailed description of the complaint process, including each level of the process, the designated timeframes to complete each stage or level in the process, and the types of records maintained.
5. Copies of all documentation of any formal and informal reports/complaints, including records of oral reports/complaints, concerning alleged harassment and/or discrimination based on national origin discrimination, including shared ancestry, at the University

and/or in any University program or activity during the 2022-2023 and 2023-2024 academic years.

6. For each complaint or report made regarding the Item #5 above, please provide:
 - a. the name(s) and title(s) of the individual(s) to whom the complaint/report was made, and the date of the complaint/report;
 - b. a detailed description of the complaint processing procedures employed to resolve the complaint/report;
 - c. the length of the process;
 - d. the name(s) and title(s) of the individual(s) involved in the handling of the complaint/report;
 - e. all actions the University took in response to the complaint/report;
 - f. the University's final determination regarding the complaint/report;
 - g. any corrective action taken; and
 - h. any notice of the findings provided to the complainant.
7. Copies of all documentation related to any complaints/reports identified in Item #5, including but not limited to correspondence, internal and external memoranda, investigative reports, witness statements, logs, forms, meeting minutes, personnel or student file documents, disciplinary documents, remedies provided, and notes generated for each complaint/report, if not provided in response to Items #5.
8. All other information the University believes will assist OCR in resolution of the issue OCR is opening for investigation, such as a narrative response to the issue opened for investigation.

To the extent that any responsive documents or information are published on the University's publicly accessible website, the response may consist of the exact web address where the relevant information is located. To the extent that other documents or information are available in digital format, please provide them digitally.

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, 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, 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.

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If you have questions about OCR’s investigation, you may reach me at brittany.whittle@ed.gov or 206-607-1608.

Sincerely,

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

Brittany Whittle
Attorney