
Office for Civil Rights Discrimination Complaint Form: Submission #736520

1. Enter information about yourself

First Name:

Last Name:

Address:

City:

State:

Zip Code:

Best Time to Call You: Evening

Primary Phone Number:

Alternative Phone Number: {Empty}

Your Email Address:

2. Who else can we call if we cannot reach you?

Contact's Name: {Empty}

Daytime Phone Number: {Empty}

Relationship to you: {Empty}

3. Who was discriminated against?

Yourself or Someone else Someone else?

If someone other than yourself please include:

Injured Person's Name: Jewish students at UC San Diego

Daytime Phone Number: {Empty}

Evening Phone Number: {Empty}

Relationship to You

(eg. son or daughter) {Empty}

Injured Person's Address: {Empty}

City: La Jolla

State: California

Zip Code: 92037

4. What institution discriminated?

Institution Name: UC San Diego

Address: {Empty}

City: {Empty}

State: California

Zip Code: 92037

School or department involved: Multiple

5. Have you tried to resolve the complaint through the institution's grievance process, due process hearing, or with another agency?

Have you tried to resolve the complaint? Yes

Agency Name: Vice Chancellor of UC San Diego, Elizabeth Simmons

Date Filed

(MM/DD/YYYY): Fri, 10/27/2023 - 00:00

If yes, what is the current status of the complaint? No response, no action. Silence.

6. Describe the discrimination

OCR enforces regulations that prohibit discrimination on the basis of race, color, national origin; sex; disability; and/or age.

(You may select more than one.)

On what basis were you discriminated against? race or color, national origin

In the space provided below please describe each discriminatory action separately. For each action, you need to provide the following information: All activities took place between October 8 and October 20th.

- 1) Gathering at library walk to "honor the martyrs of Hamas". Harassing all the Jewish students passing by.
- 2) "Peace in the Middle East" freedom speech wall was immediately covered over with anti-Israel propaganda (against the guidelines which require 24 hours before painting over.)
- 3) Strike by professors in support of Palestine
- 4) Student ripped down dozens of signs portraying the faces of those held hostage by Hamas
- 5) Strikes and walkouts initiated/endorsed by professors in support of Palestine
- 6) Students' Mezuzah torn down from apartment
- 7) A student was verbally attacked when wearing a kippah to a lecture

UC San Diego management did nothing to discipline even professors. Faculty at public universities, which live off of my taxes, should not be expressing their political views at the work place. University is not a tribune to express professors' political views.

Do you have written information that you think will help us understand your complaint?

yes or no Yes

7. Your complaint must be filed within 180 days of the discriminatory

action

The laws that we enforce require that complaints be filed with our office within 180 days of the alleged discriminatory event. If any of the alleged discriminatory actions took place more than 180 days before the postmark or receipt date of this complaint, you may request a waiver of the 180-day limit. When did the last act of discrimination occur?

When did the last act of discrimination occur?

Enter the date: Fri, 10/20/2023 - 00:00

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

yes or no No

Reason for not filing complaint before 180 days: {Empty}

8. What would you like the institution to do as a result of your complaint?

What remedy are you seeking? I want them to:

- a) Definitely: fire professors that participated in any political action on campus. As I mentioned, there is no place for political demonstrations by professors at their working place. Professors that went on strike should be fired immediately.
- b) Closing down most violent and harassing Palestinian organizations. At least, Justice in Palestine.

9. Option to Participate in OCR's Early Mediation Process

I am interested in participating in early mediation: Yes



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

December 11, 2023

Dr. Pradeep K. Khosla, Ph.D.
Chancellor
University of California, San Diego
9500 Gillman Dr.
La Jolla, CA 92093

By email only to: chancellor@ucsd.edu

Re: University of California, San Diego
OCR Case No. 09-22-2526

Response required by: January 8, 2024

Dear Dr. Kholsa:

On November 22, 2023, the U.S. Department of Education (the Department), Office for Civil Rights (OCR), received a complaint against the University of California, San Diego (the University). The complaint alleged that the University discriminated against students on the basis of their national origin (shared Jewish ancestry) by failing to respond adequately to antisemitic comments and actions by students and professors during incidents that occurred in October 2023.

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 and by professors 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

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

sufficient and addresses the allegation as required by OCR's Case Processing Manual (CPM)). Please open this link for additional information about OCR's Complaint Processing Procedures.

OCR is committed to resolving complaints as promptly as possible. OCR will contact you or your designated representative soon to discuss the allegation and the complaint resolution process. 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.

Complaints may be resolved in a variety of ways, including through mediation 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. Please inform OCR if you are interested in resolving this complaint through mediation.

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. 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.

On receipt of this letter notifying the University that OCR has opened an investigation of the above-referenced issue, **please contact OCR San Francisco at Matthew.Wood@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.

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 separate 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.

Your cooperation is appreciated. If you have any questions, please contact OCR attorney Matthew Wood at Matthew.Wood@ed.gov.

Sincerely,

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

Ava De Almeida Law
Team Leader

Enclosures