

From: [OCR New York](#)
To: [Bronka, Susan A](#)
Cc: [Carroll, John](#); [OCR New York](#)
Subject: FW: URGENT CONCERN OVER COLUMBIA UNIVERSITY
Date: Wednesday, November 15, 2023 10:04:10 AM

From: (b)(6); (b)(7)(A); (b)(7)(C)
Sent: Wednesday, November 15, 2023 9:34 AM
To: OCR New York <OCR.NewYork@ed.gov>
Subject: URGENT CONCERN OVER COLUMBIA UNIVERSITY

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.

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

Good morning,

I am writing to report Columbia University administration for unjustly suspending 'Students for Justice in Palestine' and 'Jewish Voice for Peace' from campus. Columbia has a blatantly racist past as a university and it's no surprise, yet shocking nonetheless that they would censor these two organizations for their peaceful protests against the occupation and apartheid of Palestinian people by the Israeli government.

This act along with the weaponization of Antisemitism on campus is sparking real Antisemitism and Islamophobia across other universities and states. This act and the villainization of a freedom chant for a free Palestine on campus has served as a scapegoat for a true genocide occurring in Palestine where deaths are now reaching 11,000 people, the majority of which are under the age of 5.

All universities have a responsibility to protect the rights of all students: Jewish, Arab, and Islamic, and unfortunately due to internalized racism present in the administration, they have censored those organizations and with that action declared that they support genocide.

Given the severity of the situation, I urge you to apply pressure on the administration at Columbia to reverse this decision and restore these student organizations. The reputation and ethical stance of Columbia and the city of New York are at stake, and it is imperative that such matters are addressed swiftly and decisively.

We trust that the Education Department will take the necessary steps to uphold these students' right to freedom of speech and protest and look forward to your response on this urgent matter.

Thank you for your time

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



**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS**

32 OLD SLIP, 25TH FLOOR
NEW YORK, NEW YORK 10005

RACHEL POMERANTZ
DIRECTOR
NEW YORK OFFICE

November 16, 2023

Sent by email only to: officeofthepresident@columbia.edu

Minouche Shafik
President
Columbia University
202 Low Library
535 West 116th Street, Mail Code 4309
New York, New York 10027

Re: Case No. 02-24-2083 – Columbia University

Dear President Shafik:

On November 15, 2023, the U.S. Department of Education (Department), Office for Civil Rights (OCR) received the complaint you filed Columbia University (the University). The Complainant alleged that the University discriminated and/or retaliated against students on the basis of their national origin (including shared ancestry) by suspending the student organizations Students for Justice in Palestine and Jewish Voices for Peace on or about November 10, 2023.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), as amended, 42 U.S.C. § 2000d *et seq.*, and its implementing regulations at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, and national origin (including shared ancestry) in programs and activities receiving federal financial assistance from the Department. As a recipient of federal financial assistance from the Department, the University is subject to Title VI and its implementing regulations.

OCR will investigate the following issue: whether the University subjected students to discrimination and/or retaliation based on national origin (including shared ancestry) in violation of Title VI and its implementing regulations.

Please understand that opening this allegation for investigation does not mean that OCR has made a decision about the allegation. During the investigation, OCR is neutral; OCR will collect and analyze the evidence it needs to make a decision about the allegation. OCR will ensure that its investigation is legally sufficient and addresses the allegation 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. 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 intends to conduct a prompt investigation of this allegation. To reach an efficient and timely resolution of this matter, OCR is providing an opportunity for the University to present its response to the Complainant's allegation and to submit supporting documentation. Within 20 days of the date of this letter, please provide to OCR the information listed in the attached data request. 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 necessary for it to determine whether a recipient is in compliance with the regulations it enforces. Pursuant to 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii), of the regulation 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.

Complaint allegations may be resolved in a variety of ways, including through mediation pursuant to Section 201(b) of OCR's CPM. Under 201(b) mediation, 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.

When appropriate, a complaint may be resolved before the conclusion of an investigation after the recipient expresses an interest to OCR to resolve the complaint. In such cases, OCR obtains a resolution agreement signed by the recipient. This agreement must be aligned with the complaint allegations or the information obtained during the investigation, and it must be consistent with applicable regulations.

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 against the University 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, it will seek to protect, to the extent provided by law, personally identifiable information that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions, please contact Joy M. Purcell, Senior Compliance Team Attorney, at (646) 428-3766 or joy.purcell@ed.gov; Jessica Daye, Compliance Team Investigator, at (646) 428-3812 or jessica.daye@ed.gov; Erin M. Greene, Compliance Team Attorney, at (646) 428-3870 or erin.greene@ed.gov; or me, at (646) 428-3806 or felice.bowen@ed.gov.

Sincerely,

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

Félice A. Bowen
Compliance Team Leader

Attachment

Data Request
Case No. 02-24-2083
Columbia University (the University)

OCR requests that this information reach our office within **20 days from the date of the attached letter**. 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 Joy Purcell, Jessica Daye, or Erin Greene to receive online portal information to upload data.
- Email:** joy.purcell@ed.gov; jessica.daye@ed.gov; or erin.greene@ed.gov
- Fax:** (646) 428-3843
- Mail:** U.S. Department of Education
Office for Civil Rights
New York Office
32 Old Slip, 25th Floor
New York, New York 10005

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.

Preservation of requested and relevant data and documents: OCR may request supplemental data and documents that are relevant to the allegation under investigation. To ensure that OCR can assess the University's compliance with the statutory and regulatory obligations at issue in this investigation, please ensure that University employees preserve the data and documents requested below for the time frame 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.

Response Due: December 6, 2023

Please provide the following information for academic years 2022-2023 and 2023-2024, unless otherwise indicated, or indicate in writing if any of the requested items do not exist:

1. Copies of the University's policies and procedures, and/or a description of the University's practices, governing the investigation of complaints or incidents of which the University becomes aware pertaining to discrimination, including retaliation, against students on the basis of national origin, including shared ancestry. Provide a detailed description of the complaint process, including each level of the process, the length of the process, and the types of records maintained. Also provide the name(s) and job title(s) of University staff responsible for handling complaints of discrimination on the basis of national origin, including shared ancestry, at each level of the process.
2. Explain how the University informs students and employees of the policies and procedures referred to in Item 1 above. Submit copies of all materials disseminated and websites that contain this information.
3. Copies of the University's policies and procedures, and/or a description of the University's practices, governing: (a) disciplinary or corrective actions that may be taken to address discrimination, including retaliation, against students on the basis of national origin, including shared ancestry; and (b) the provision of supports and remedies to students found to have been discriminated against on the basis of national origin, including shared ancestry.
4. Copies of the University's policies and procedures, and/or a description of the University's practices, governing the suspension of student organizations on campus, including a description of the circumstances under which the University would suspend a student organization from campus. Include the names and job titles of all University staff responsible for making the decision to suspend student organizations.
5. A description of the student organizations Students for Justice in Palestine and Jewish Voices for Peace (the Student Groups) including the University's relationship to the Student Groups. State whether the University provides or has provided any funding (direct or in-kind) to the Student Groups and whether the Student Groups use or have used any University resources (e.g., staff, materials, supplies, facilities, etc.) in furtherance of the Student Groups' activities. State whether the University has permitted the Student Groups to distribute/publish (physically or electronically) materials using University property or resources. Provide a copy of any contract(s) or written agreement(s) between the Student Groups and the University.
6. State whether the University suspended the Student Groups from campus in November 2023. If so, provide the following information:
 - a. the date(s) the University suspended the Student Groups;

- b. explain why the University suspended each of the Student Groups, including a copy of any written explanation communicated by any University employee to any other employee and/or to any member of the Student Groups;
 - c. the name(s) and job title(s) of the University staff member(s) responsible for making the decision to suspend the Student Groups;
 - d. a list of all other student organizations that the University suspended in academic years 2023-2024, 2022-2023, and 2022-2021 and an explanation of the bases for each suspension;
 - e. whether any of the student organizations identified in response to Data Request 6.d above had previously engaged in protected activity prior to being suspended;¹ and
 - f. copies of all related documentation, including correspondence between University staff and the student organizations and/or among University staff, any relevant policies or procedures, emails, memoranda, reports, notes, logs, forms, and/or meeting minutes.
7. Copies and/or descriptions of all formal and informal reports and complaints, including records of oral reports and complaints and incidents of which the University is otherwise aware, concerning the exclusion of the Student Groups and any other student organization suspended from the University in response to Data Request 6.d above. For each report/complaint/incident, please provide:
- a. the name(s) and job title(s) of the person(s) to whom the report/complaint was made, and the date the report/complaint was made;
 - b. the name and relation to the University of the person making the report/complaint (e.g., student, parent, guardian, counsel, staff member);
 - c. detailed description of the report/complaint, including the name(s) of the alleged target(s) of discrimination/retaliation and the alleged discriminators/retaliating parties if not evident from the copy of the report/complaint;
 - d. a detailed description of the grievance procedures or other complaint processing procedures employed to resolve the report/complaint;
 - e. the length of the investigation and complaint resolution process;
 - f. the name, national origin, ancestry, and/or ethnicity of each student involved in the alleged incident(s) of discrimination/retaliation;
 - g. the name(s) and job title(s) of the individual(s) involved in the response to, investigation of, and resolution of the report/complaint;
 - h. all actions the University has taken in response to the report/complaint/concerns raised, including corrective action taken, disciplinary sanctions imposed, and supportive services and remedies offered and/or provided (e.g., counseling, safety measures); any individual and/or University-wide remedies; and any corrective actions or disciplinary sanctions imposed;
 - i. the final outcome of any investigation of the report/complaint, including copies of any incident/investigative reports, final determination, and any appeals;

¹ A protected activity involves making a complaint, testifying, assisting or participating in any manner in an investigation, proceeding or hearing under the regulations enforced by OCR or similar activities, such as advocating for rights guaranteed by OCR's regulations. OCR enforces federal laws and regulations that prohibit discrimination on the bases of race, color, national origin, disability, sex, and age. OCR is also responsible for enforcing the Boy Scouts of America Equal Access Act.

- j. if the University did not investigate any particular report/complaint, the reason(s) for not investigating, and the name(s) and job title(s) of the person(s) who made the decision;
 - k. any notice of the investigative findings provided to the complainant and/or other notice regarding the report/complaint, including notice of any outcomes on appeal; and,
 - l. the complete case file for the report/complaint identified, including internal emails or other correspondence, internal and external memoranda, incident/investigative reports, recordings, witness statements, logs, forms, interview notes, notes regarding remedies provided, hearing transcripts, meeting minutes, and notes generated.
8. Copies and/or descriptions of all formal and informal reports and complaints, including records of oral reports and complaints of alleged discrimination on the basis of shared ancestry, including harassment, against the Student Groups or any other suspended student organization listed in response to Data Request 6.b. above made since academic year 2021-2022 to the present. For each report/complaint/incident, please provide:
- a. the name(s) and job title(s) of the person(s) to whom the report/complaint was made, and the date the report/complaint was made;
 - b. the name and relation to the University of the person making the report/complaint (e.g., student, faculty members, parent/guardian, counsel, member of the public);
 - c. a detailed description of the report/complaint, including the name(s) of the alleged target(s) of discrimination/harassment and the alleged discriminators/harassers if not evident from the copy of the report/complaint;
 - d. a detailed description of the grievance procedures or other complaint processing procedures employed to resolve the report/complaint;
 - e. the length of the investigation and complaint resolution process;
 - f. the name, national origin, ancestry, and/or ethnicity of each student involved in the alleged incident(s) of discrimination/harassment;
 - g. the name(s) and relation to the University of any individual(s) who witnessed the alleged incident(s), including any University students, employees, police, or others;
 - h. the name(s) and relationship to the University of any witnesses interviewed by the University and/or police;
 - i. the name(s) and job title(s) of the individual(s) involved in the response to, investigation of, and resolution of the report/complaint;
 - j. all actions the University has taken in response to the report/complaint/concerns raised, including corrective action taken, disciplinary sanctions imposed, and supportive services and remedies offered and/or provided (e.g., counseling, safety measures); any individual and/or University-wide remedies; and any corrective actions or disciplinary sanctions imposed;
 - k. the final outcome of any investigation of the report/complaint, including copies of any incident/investigative reports, final determination, and any appeals;
 - l. if the University did not investigate any particular report/complaint, the reason(s) for not investigating, and the name(s) and job title(s) of the person(s) who made the decision;

- m. any notice of the investigative findings provided to the complainant and/or other notice regarding the report/complaint, including notice of any outcomes on appeal; and,
 - n. the complete case file for the report/complaint identified, including internal emails or other correspondence, internal and external memoranda, incident/investigative reports, video and audio recordings, witness statements, logs, forms, interview notes, notes regarding remedies provided, hearing transcripts, meeting minutes, and notes generated.
9. State whether the University conducts focus groups, other meetings, or trainings and/or holds informational sessions with students and/or 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.
10. A detailed description of any training regarding discrimination, including harassment, based on national origin, including shared ancestry, that the University provided to University staff responsible for responding to such complaints. For each such training provide the dates of such training, a description of the training, a list of the names and job titles of the individuals who attended the training, and copies of any materials distributed during the training.
11. The name, job title, address, telephone number, fax number and email address of the University's contact person for this complaint.
12. Any other information the University believes will assist OCR in this investigation.