
Office for Civil Rights Discrimination Complaint Form: Submission #736604

1. Enter information about yourself

First Name:

Last Name:

Address:

City:

State:

Zip Code:

Best Time to Call You: Day

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 Myself?

If someone other than yourself please include:

Injured Person's Name: {Empty}

Daytime Phone Number: {Empty}

Evening Phone Number: {Empty}

Relationship to You
(eg. son or daughter) {Empty}

Injured Person's Address: {Empty}

City: {Empty}

State: {Empty}

Zip Code: {Empty}

4. What institution discriminated?

Institution Name: George Mason University

Address: 4400 University Drive

City: Fairfax

State: Virginia

Zip Code: 22030

School or department involved: (b)(6); (b)(7)(A); (b)(7)(C) Entire school

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? No

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? national origin

In the space provided below please describe each discriminatory action separately. For each action, you need to provide the following information: George Mason University has since Oct. 8 failed to protect its Jewish students. There is a pervasive hostility towards Jewish students and a failure by administration to protect them. On October 12. students rallied in support of "the resistance," by which they meant the perpetrators of the massacre, Hamas. SJP Mason also called for the destruction of the State of Israel, the "liberation of our homeland and our people, from the river to the sea. The students covered their faces to hide their identities and in violation of Virginia law. Jewish students huddle together and discuss how unsafe they feel. Aware of what was. going on on campus. [redacted] determined to continue to be [redacted]

[redacted]

[redacted]

I felt that their conduct and words were [redacted]

[redacted]

[redacted] I am now concerned about my emotional safety [redacted]

[redacted]

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:

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 would like to see get education about anti-semitism and how to be inclusive.

I would like the campus administration to come up with ways to protect their Jewish students and promote a calm dialogue where disputes can be aired without marginalizing, silencing or frightening Jewish students.

I would like Jewish students to be included in all DEI discussions.

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

I am interested in participating in early mediation: No



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

400 MARYLAND AVENUE, SW
WASHINGTON, DC 20202-1475

REGION XI
NORTH CAROLINA
SOUTH CAROLINA
VIRGINIA
WASHINGTON, DC

December 22, 2023

By email only to president@gmu.edu

Gregory Washington
President
George Mason University
Alan and Sally Merten Hall
Suite 5100, MS 3A1
Fairfax, VA 22030

Re: Case No. 11-24-2106
George Mason University

Dear President Washington:

The U.S. Department of Education, Office for Civil Rights (OCR) received a complaint on November 29, 2023, against George Mason University (University). The Complainant alleged that the University discriminated against students on the basis of national origin (shared Jewish ancestry) by failing to respond appropriately 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 or ethnic characteristics, in any program or activity receiving federal financial assistance from the Department of Education. Because the University receives federal financial assistance from the Department of Education, OCR has jurisdiction over it pursuant to Title VI.

Because OCR determined that it has jurisdiction and that the complaint was timely filed, OCR is opening the complaint for investigation. OCR will investigate the following issue:

Whether the University responded to alleged harassment of students based on their national origin (shared Jewish ancestry) in a manner 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 ensure that its investigation is legally sufficient and fully responds to the allegation in accordance with the provisions of the *Case Processing Manual*. Please open this link for additional information about [OCR's Complaint Processing Procedures](#).

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

When appropriate, a complaint may be resolved before the conclusion of an investigation if the university expresses an interest to OCR in resolving the allegation(s) and OCR determines that it is appropriate to resolve them because OCR’s investigation has identified concerns that can be addressed through a resolution agreement. In such cases, OCR obtains a resolution agreement signed by the university. This agreement must be supported by the evidence obtained during the investigation, and it must be consistent with the applicable statute(s) and regulation(s). Additional information about this voluntary resolution process may be found in OCR’s *Case Processing Manual*.

Attached is a request for data necessary to investigate this complaint. OCR requests that the University submit this information within 25 calendar days of the date of this letter (i.e., by January 16, 2023). We prefer that you submit information electronically, if feasible.¹ If any item in our request is unclear, or if you experience any difficulty complying with this request, please contact us as provided below prior to the expiration of the 25-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, 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, OCR 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.

We look forward to your cooperation during the resolution of this complaint. If you have any questions, please contact Sharon Gooft Nissim, the OCR attorney assigned to this complaint, at 202-245-7261 or sharon.nissim@ed.gov.

Sincerely,

**DAN
GREENSPAHN**

Digitally signed by DAN
GREENSPAHN
Date: 2023.12.22 09:35:28
-05'00'

Dan Greenspahn
Team Leader, Team 1
District of Columbia Office
Office for Civil Rights

¹ If your submission cannot be sent via email, OCR can set up a secure site for you to upload your submission. You may contact us for more information about this option.

**George Mason University
OCR Case No. 11-24-2106**

Data Request

Please provide the following data by January 16, 2023. The Department of Education’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). However, please remove any social security numbers from responsive records due to the sensitive nature of this information.

OCR may request supplemental data and documents that are relevant to the issue under investigation. If the University obtains any additional information or documents responsive to this data request or otherwise relevant to the allegation in this case, the University must promptly inform OCR of its existence and supplement the data response within 15 days of its discovery. OCR reminds the University that a failure to provide requested information may be considered a denial of access in violation of the regulation cited above. Please ensure that University employees preserve all data and documents that are relevant to the allegation under investigation until OCR closes this case.

1. The name and contact information of the individual who will serve as OCR’s contact person during the investigation of this complaint.
2. The University’s narrative response to the issue opened for investigation and all documents or records referenced in the narrative response.
3. A copy of the University’s policies and procedures, and/or a description of the University’s practices, governing the investigation of reports/complaints of harassment and/or discrimination on the basis of national origin, including shared ancestry or ethnic characteristics. 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 harassment and/or discrimination on the basis of national origin, at each level of the process.
4. Copies of all formal and informal reports/complaints, including records of oral reports/complaints, concerning alleged shared ancestry discrimination, including harassment, that occurred during an on-campus rally held on October 12, 2023, and any other such reports/complaints made during the 2022-23 and 2023-24 academic years. For each complaint/report, provide:
 - a. the name or unique identifier of the reporting individual, and that individual’s relation to the University (e.g., current student, faculty member, alumnus, member of the public);

- b. the name(s) and title(s) of the person(s) to whom the report/complaint was made, and the date the report/complaint was made;
 - c. a detailed description of the procedures employed to resolve the report/complaint;
 - d. the length of the process to resolve the report/complaint;
 - e. the name(s) and title(s) of the individual(s) responsible for investigating or otherwise resolving the report/complaint;
 - f. a description of any interim measures put in place during any investigation;
 - g. the name(s) and relation(s) to the University of any witnesses interviewed by the University;
 - h. all actions taken by the University in response to the allegations raised in the report/complaint, including any individual or University-wide corrective actions, and the date(s) of such action(s);
 - i. the University's final determination, if any, regarding the report/complaint, and the date of the determination;
 - j. any notice of the final outcome of the investigation or resolution provided to the reporting party or others with regard to the report/complaint;
 - k. if the University did not investigate any report/complaint, the reason(s) why and the name(s) and title(s) of the individual(s) who made the decision; and
 - l. copies of all records pertaining to each report/complaint and the University's response to the report/complaint, including but not limited to correspondence with the reporting individual, correspondence among University staff members, internal and external memoranda, investigative reports, witness statements, interview notes, logs, forms, meeting minutes, records of supportive measures and/or remedies offered and provided, hearing transcripts and notes generated for each report/complaint.
5. 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.
6. A detailed description of any training regarding discrimination, including harassment, based on national origin, including shared ancestry or ethnic characteristics, 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.
7. Any additional information that the University believes may be helpful in resolving this complaint.