

*Submitted via email* November 19th, 2023

U.S. Department of Education

Office for Civil Rights

400 Maryland Ave., SW

Washington, DC 20202

Email: [OCR@ed.gov](mailto:OCR@ed.gov)

**Re: Title VI Complaint Against the University of Virginia, 515 New Cabell Hall, PO Box 400772, Charlottesville, VA 22904 (National Origin – Jewish)**

Dear Assistant Secretary Catherine Lhamon,

As a concerned citizen, I feel frightened and discriminated against on campus given the recent actions of my fellow students. Since the terrorist attacks of October 7, 2023, in Israel, I increasingly feel unwelcome as part of a student and academic body.

The October 7 surprise attack on Israel by Hamas terrorists killed over 1,400 innocent people including at least 30 Americans. This was the deadliest Palestinian terrorist attack on Israel in history and the deadliest day for Jews since the Holocaust.

On October 8, the Students for Justice in Palestine (SJP) chapter at the university published a statement “endorsing the rape, murder and kidnapping of innocent people which we now know includes the beheading of babies.” Not only did this letter refuse to condemn Hamas, it says, “We reject the assumption that oppressed people cannot take their liberation into their own hands,” “the rebellion was not unprovoked,” and “Students for Justice in Palestine at UVA unequivocally supports Palestinian liberation and the right of colonized people everywhere to resist the occupation of their land by whatever means they deem necessary.” The statement never condemned, in fact seemed to endorse, the actions of Hamas, nor did it acknowledge the loss that Israelis have faced.

On October 12, SJP held a demonstration on campus with approximately 200 students in attendance.

These actions not only completely disregard the terrorist actions that Hamas has taken against the people of Israel, including raping, murdering, and kidnapping civilians, they actually support them! There are still

approximately 200 people held captive by Hamas, along with 50 others being held by other terror factions. It is not as if we do not have recent history of the UVA community coming together to counter demonstrations of hatred. Yet, when it is hatred of Jews and Israel, the response has been very different.

As a recognized student group at the University of Virginia, Students for Justice in Palestine is eligible to receive funding from the public university.

I am writing to you not just on my own behalf, but on behalf of the 1,600 other Jewish students on campus who are also feeling afraid, as the University takes no action to protect us.

Members of Congress are currently discussing additional protections from the Department of Education for Jewish college students amid the current wave of antisemitic incidents. But no such discussions appear to be occurring at the University of Virginia 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 the University of Virginia. We are seeking sanctions against the University to the fullest extent OCR is able to impose them and forcing UVA to disassociate itself and to defund organizations that engage in antisemitic and anti-Jewish behavior.

For the record, I do not 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)

First and Last Name

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



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 29, 2023

By email only to [president@virginia.edu](mailto:president@virginia.edu)

James E. Ryan  
President  
University of Virginia  
P.O. Box 400224  
Charlottesville, VA 22904

Re: Case No. 11-24-2096  
University of Virginia

Dear President Ryan:

The U.S. Department of Education, Office for Civil Rights (OCR) received a complaint on November 20, 2023, against the University of Virginia. 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 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](#). 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](http://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 23, 2024). We prefer that you submit information electronically, if feasible.<sup>1</sup> 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 15-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 one of the OCR attorneys assigned to this complaint: Sharon Goott Nissim at 202-245-7261 or [sharon.nissim@ed.gov](mailto:sharon.nissim@ed.gov); or Bruce Easop at 202-987-1200 or [bruce.easop@ed.gov](mailto:bruce.easop@ed.gov).

Sincerely,

*D. Frank Vinik*

D. Frank Vinik  
Team Leader, Team IV  
District of Columbia Office  
Office for Civil Rights

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<sup>1</sup> 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.

**The University of Virginia  
OCR Case No. 11-24-2096**

**Data Request**

Please provide the following data by January 23, 2024. 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 under 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 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, in response to Students for Justice in Palestine (SJP) statements made in October 2023, a demonstration sponsored by SJP in November 2023, and any 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.