

**From:** OCR  
**To:** OCR Chicago  
**Cc:** (b)(6); (b)(7)(A); (b)(7)(C)  
**Subject:** FW: Title VI Complaint Against the University of Wisconsin-Madison, 702 West Johnson Street, Suite 1101, Madison, Wisconsin 53715-1007 (National Origin – Jewish)  
**Date:** Wednesday, January 10, 2024 10:57:48 AM  
**Attachments:** [image001.png](#)

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January 10, 2024

Dear OCR Chicago Office,

The email below is being forwarded to your office for review and appropriate handling.

Thank you,

OPEN Center Customer Service Team

Office for Civil Rights

U.S. Department of Education

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**From:** Zachary Marschall (b)(6); (b)(7)(A); (b)(7)(C)  
**Sent:** Wednesday, January 10, 2024 11:31 AM  
**To:** OCR <OCR@ed.gov>  
**Subject:** Title VI Complaint Against the University of Wisconsin-Madison, 702 West Johnson Street, Suite 1101, Madison, Wisconsin 53715-1007 (National Origin – Jewish)

**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.**

*Submitted via email* January 10, 2024

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 Wisconsin-Madison, 702 West Johnson Street, Suite 1101, Madison, Wisconsin 53715-1007 (National Origin – Jewish)

Dear Assistant Secretary Catherine Lhamon,

The October 7 surprise attack on Israel by Hamas terrorists killed over 1,000 innocent people, including more than 30 Americans. This was the deadliest Palestinian terrorist attack on Israel in history and the deadliest day for Jews since the Holocaust.<sup>[1]</sup>

But at an October 10 protest on campus, there were chants of “glory to the martyrs.”<sup>[2]</sup> Another chant called to “liberate the land by any means necessary.”<sup>[3]</sup> “Martyrs” in this context are terrorists who were killed attempting to murder Jews and it is obvious that “by any means necessary” includes brutality such as the murder, torture, and rape that occurred on October 7. The event, organized by UW-Madison students, featured call and response chants like “Palestinian heroism, not Zionist terrorism.” A group of bikers called out “F— Israel” as they passed. Some demonstrators claimed that Israel’s “brutal occupation” constitutes genocide and war crimes.<sup>[4]</sup>

Students for Justice in Palestine, a student group at the University, released a statement on October 16 reaffirming the right to “resist occupation and to pursue liberation.” The statement also addressed the “lack of empathy the chancellor’s statement showed towards Palestinians and Palestinian students.” The statement was co-signed by the Arab Student Association, Alpha Lambda Rho, Mecha De UW-Madison, Art for Change and the North African Student Organization.<sup>[5]</sup> Student groups at the University are eligible to receive grants from the public university’s funds.<sup>[6]</sup>

This language not only disregards but appears to celebrate the terrorist actions that Hamas has taken against the people of Israel, including raping, murdering, and kidnapping civilians. There are still approximately 200 people held captive by Hamas, along with 50 others being held by other terror factions.<sup>[7]</sup>

I am writing to you as a journalist who has spoken to numerous Jewish students across this country to afraid to speak up. I’m choosing to speak up for them because the University takes no action to protect them.

This is not the first instance of antisemitism on the University’s campus. Last year, graffiti targeting Zionist student groups was found all around campus on the first day of the fall semester. This included phrases like “Zionism is Racism” and “Zionism is Genocide,” and referenced unnamed “Zionist” organizations at the university that “have blood on their hands.”<sup>[8]</sup>

Members of Congress are currently discussing additional protections from the Department of Education for Jewish college students amid the current wave of antisemitic incidents.<sup>[9]</sup> But no such discussions appear to be occurring at the University of Wisconsin-Madison 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 Wisconsin-Madison. We are seeking sanctions against the University to the fullest extent OCR is able to impose them as well as forcing the University to ensure its funds are not sent to organizations spreading antisemitism.

For the record, I do 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,

A rectangular box with a thin black border, containing a small, dark square icon with a white question mark inside, indicating a redacted signature.

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

(b)(7)(C)

Zachary Marschall

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

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

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**Zachary Marschall**

Editor in Chief

Campus Reform

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

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

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[1] <https://www.theguardian.com/world/2023/oct/12/israel-hamas-war-biden-jews-holocaust-palestine-iran-warning>

[2] <https://twitter.com/gdatz/status/1711901493438120191>

[3] <https://www.jta.org/2023/10/13/united-states/jewish-groups-demand-schools-pull-funding-from-students-for-justice-in-palestine-for-cheering-hamas-attack>

[4] <https://www.dailycardinal.com/article/2023/10/madison-demonstrators-hold-rallies-supporting-palestinians-decry-israels-response-to-oct-7-attacks>

[5] <https://badgerherald.com/news/2023/10/11/chancellor-mnookin-releases-statement-on-israel-hamas-war-following-responses-on-campus/>

[6] <https://guide.cfli.wisc.edu/benefits/#on-campus-funding-grants>

[7] <https://nypost.com/2023/10/17/israel-hamas-war-live-updates-and-latest-news/>

[8] <https://www.timesofisrael.com/u-of-wisconsin-apologizes-after-zionism-is-genocide-graffiti-seen-around-campus/>

[9] <https://www.washingtonexaminer.com/news/house/israel-war-day-resistance-college-protection-jewish-students>



**UNITED STATES DEPARTMENT OF EDUCATION**

**OFFICE FOR CIVIL RIGHTS**  
230 SOUTH DEARBORN ST., 37<sup>TH</sup> FLOOR  
CHICAGO, IL 60604

**REGION V**  
ILLINOIS  
INDIANA  
IOWA  
MINNESOTA  
NORTH DAKOTA  
WISCONSIN

January 29, 2024

Dr. Jennifer Mnookin  
Chancellor  
University of Wisconsin-Madison  
Sent by email only to: [chancellor@wisc.edu](mailto:chancellor@wisc.edu)

Re: OCR Docket # 05-24-2185

Dear Chancellor Mnookin:

On January 10, 2024, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received the above-referenced complaint filed against the University of Wisconsin-Madison (University) alleging 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 2023.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d-2000d-7, and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination based on race, color, or national origin, including shared ancestry, in any program or activity operated by a recipient of federal financial assistance from the Department. As a recipient of federal financial assistance from the Department, the University is subject to these laws. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

OCR will investigate the following issue:

- Whether the University failed to respond to alleged harassment of students on the basis of national origin (shared Jewish ancestry) in a manner consistent with the requirements of Title VI.

Please understand that opening an investigation does not mean that OCR has made a decision about the complaint. During the investigation, OCR is neutral; OCR will collect and analyze the evidence it needs in order to make a decision about the complaint.

OCR offers, when appropriate, a mediation process to facilitate the voluntary resolution of complaints by providing an early opportunity for the parties involved to resolve the allegations. Some information about the mediation process is in the enclosure to this letter.

In addition, when appropriate, a complaint may be resolved before the conclusion of an investigation after a recipient expresses an interest in resolving the complaint. In such cases, a resolution agreement signed by the recipient and submitted to OCR must address all of the allegations that OCR determines are appropriate to resolve before the conclusion of an investigation. Information about this is in the enclosure to this letter.

Please read the enclosed document, which includes information about:

- OCR's complaint processing procedures;
- Regulatory prohibitions against retaliation and intimidation of persons who file complaints with OCR or participate in an OCR investigation; and
- Application of the Freedom of Information Act and the Privacy Act to OCR investigations.

OCR intends to conduct a prompt investigation of this complaint. 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 a compliance determination. 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 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.

Accordingly, please provide the following information to us within twenty-one (21) calendar days. Wherever possible, please provide the requested information in electronic format. If responsive data are available through the Internet, please provide the link to the data. Please do not provide OCR documentation or electronic information containing social security numbers (SSN); if SSN appear on a document or file that is otherwise responsive to OCR's request, please redact the SSN before producing to OCR. Further, it would be helpful if the pages in your response are numbered.

1. A detailed narrative response to the issue opened for investigation.
2. The name, title, and contact information of the University's:
  - a. Contact person for this complaint;
  - b. Person authorized to resolve this complaint;

- c. Person responsible for responding to Title VI complaints; and
  - d. Person responsible for handling complaints of harassment and/or discrimination on the basis of national origin, including shared ancestry, at each level of the process.
3. A copy of the University's policies and procedures and 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. Include a detailed description of the complaint process, including each level of the process, the length of the process, and the types of records maintained.
4. All formal and informal reports/complaints, including records of oral reports/complaints, regarding the following during the 2023-2024 academic year:
  - a. An October 10, 2023 on-campus protest; and
  - b. An October 16, 2023 statement from the University student group Students for Justice in Palestine.
5. All formal and informal reports/complaints, including records of oral reports/complaints, concerning alleged harassment and/or discrimination based on national origin, including shared Jewish ancestry. The University's response should include information for the 2022-2023 and 2023-2024 academic years.
6. For each report/complaint in response to Items 4 and 5 please provide the following:
  - a. the name(s) and title(s) of the individual(s) to whom the complaint/report was made, the date of the complaint/report, and the date of the incident;
  - b. a detailed description of the complaint processing procedures employed to resolve the report/complaint;
  - c. the length of the investigative process;
  - d. the name(s) and title(s) of the individual(s) involved in the handling of the report/complaint;
  - e. all actions the University took in response to the report/complaint, including whether there was police involvement;
  - f. the University's final determination regarding the report/complaint;
  - g. any corrective action taken, including discipline and/or supportive measures; and
  - h. any notice of the findings provided to the complainant.
7. All documentation related to any and/or all complaints/reports identified in response to Items 4 and 5, including but not limited to emails and other forms of correspondence, internal and external memoranda, investigative reports, witness statements, logs, forms, meeting minutes, University communications sent to students, student organizations, staff, alumni, applicants, and the public, personnel file documents, disciplinary documents, supportive measures provided, and notes generated for each complaint.
8. To the extent not covered by any request above, copies of any email(s) and/or social media post(s) received by the University relating to Items 4 and 5 as well as any written or

electronic notices or correspondence regarding antisemitic or hate incidents against Jewish and/or Israeli faculty, staff, or students, and any communications sent by the University to students, student organizations, faculty, faculty organizations, staff, alumni, applicants, and the public relating to Items 4 and 5.

9. Any additional information that the University believes might be helpful to OCR's investigation of the issue opened for investigation.

Thank you for your cooperation in this matter. In addition to the information requested above, OCR may need to request additional information and interview relevant personnel. If an on-site visit is necessary, we will work to schedule a mutually convenient time for the visit.

OCR will provide you with a link to a SharePoint folder. Please upload the data and information responsive to OCR's request in the SharePoint folder. Thank you for your attention to this matter. If you have any questions, please contact Shawn Peters by email at [shawn.peters@ed.gov](mailto:shawn.peters@ed.gov).

Sincerely,

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

Dawn Matthias  
Team Leader

cc: Brian Vaughan, Assistant Vice Chancellor  
Via email to: [brian.vaughan@wisc.edu](mailto:brian.vaughan@wisc.edu)

Enclosure