



April 5, 2024

VIA EMAIL

Secretary Miguel Cardona
Assistant Secretary Catherine E. Lhamon
U.S. Department of Education
Office for Civil Rights
400 Maryland Avenue, SW
Washington, DC 20202-1100
Email: OCR@ed.gov

Re: Title VI Complaint Against Columbia University (National Origin–Palestinian, Race – Arab, Shared Ancestry or Ethnic Characteristics – Muslim)

Dear Secretary Cardona and Assistant Secretary Lhamon,

We write on behalf of four Columbia University students¹ and Columbia Students for Justice in Palestine (Columbia SJP) who have been the target of extreme anti-Palestinian, anti-Arab, and Islamophobic harassment on campus since October 9, 2023, including receiving multiple death threats, being called terrorists and “Jew killers,” told to “Go to Gaza so they can rape you and kill you,” harassed for wearing keffiyehs (traditional Palestinian scarf) or hijab, doxed, being stereotyped as supporting Hamas, terrorists, or being pro 9/11, being treated differently by high-ranking administrators—including Columbia University President Minouche Shafik, attacked with a chemical agent that led to a Palestinian student and others associated with Palestinians or perceived to be Palestinians being hospitalized, and more. Despite students filing dozens of complaints, Columbia failed to take meaningful steps to end the harassment, prevent it from occurring, or remedy its effects. Instead, Columbia reinforced the hostile anti-Palestinian environment by suspending Students for Justice in Palestine—a student organization that advocates for Palestinian human rights—for engaging in speech activity supporting Palestinian rights. In addition, Columbia formed an Anti-Semitism Task Force, which appears to exclude Jews who are affiliated with Palestinians and/or who support Palestinian rights.² The mandate

¹ These students are Maryam Alwan, Deen Haleem, Daria Mateescu, and Layla Saliba. Maryam, Deen, and Layla are of Palestinian origin.

² See, e.g., Prem Thakker, *Columbia’s New “Antisemitism Task Force” Won’t Say What It Thinks Antisemitism Is*, THE INTERCEPT (March 7, 2024), <https://theintercept.com/2024/03/07/israel-gaza->

of the task force suggests that it is making recommendations regarding student protests and discipline, raising concerns that the university will investigate or prosecute students who affiliate with Palestinians or speak in favor of Palestinian equality. Despite repeated asks from Palestinian students and their allies, Columbia has not created a similar Anti-Palestinian (or Anti-Arab or Islamophobia) Task Force to date, thus reinforcing the anti-Palestinian hostile environment on campus.

We will submit a more detailed report of these incidents—which continue up to today—under separate cover in the next fourteen business days, but we are including a brief description of incidents that have taken place between approximately October 9 and 31 for purposes of the 180-day filing period.

Our allegations fall into three major categories *with respect to incidents between October 9 and 31, 2023:*

1. Palestinian students, students perceived to be Palestinian, and students associated with Palestinians, Arab students, and Muslim students on campus have been subjected to a hostile environment on campus due to an onslaught of anti-Palestinian, Islamophobic, and anti-Arab harassment, threats, and social media targeting—of which the University had clear and repeated notice. Palestinian students and/or those associated with them and/or students perceived to be Palestinian, including Columbia students wearing a keffiyeh (traditional Palestinian scarf) have been doxed, followed, cursed at, faced with Islamophobic and anti-Palestinian rhetoric, called “terrorists” and “Jew killers,” had their university network ID demanded of them, and have received death threats. A Muslim student wearing hijab, upon walking back to her dorm after a protest for Palestinian rights, was subjected to racist anti-Palestinian and Islamophobic harassment such as, “I can see your hair, you terrorist!” Despite repeated notice, the University failed to respond effectively and promptly to eliminate the hostile environment and remedy its impact on affected Palestinian, Arab, and Muslim students and their allies who were advocating for the rights of Palestinians. As a result of the above, students have felt unsafe on campus, have lost sleep, have avoided walking alone or studying on campus, and fell behind on assignments. After missing several weeks of class due to the constant harassment and grief of losing family members in Gaza, Palestinian student Layla Saliba had to take out student loans in order to enroll in summer classes. Maryam Alwan, a member of Students for Justice in Palestine, who is also Palestinian, not only missed numerous classes, but had panic attacks on campus as a result of the hostile anti-Palestinian environment on campus. Maryam eventually had to drop several classes and is now graduating a year late

[protests-columbia-antisemitism/](https://lithub.com/internal-emails-reveal-columbias-task-force-on-antisemitism-is-causing-ruptures-in-its-faculty/); LitHub, Internal Emails Reveal Columbia’s Task Force on Antisemitism Is Causing Ruptures in Faculty, LITHUB, (Feb. 26, 2024), <https://lithub.com/internal-emails-reveal-columbias-task-force-on-antisemitism-is-causing-ruptures-in-its-faculty/>.

as a result.

2. Columbia also engaged in different treatment on the basis of Palestinian national origin and association with and advocacy for Palestinians. On October 9, 2023, Columbia President Minouche Shafik sent a university-wide email beginning with the words, “I was devastated by the horrific attack on Israel this weekend.” The president’s 499-word statement provided an extensive list of resources for students, faculty, and staff to get health and other support services from the university. Unlike the president’s rapid and proactive outreach to provide support to students impacted by the attack *on Israel* (i.e. Israeli students, faculty, and staff), administrators have sent no such response condemning or expressing devastation with respect to Israel’s attack *on Gaza* (i.e. which impacts Palestinian students, faculty, and staff), which has, to date, killed more than 32,000 Palestinians. Layla Saliba, a Palestinian student whose family was killed by Israel in Gaza (as noted above), was left to fend for herself, as Columbia did not offer her the same support and resources as non-Palestinian students when it came to assistance requesting accommodations from professors. Palestinian students reported different treatment and lack of regard for Palestinian students to administrators and to date have still have not seen statements similarly expressing horror and devastation at Israel’s attacks on Gaza, despite the exponential difference in loss of Palestinian life.³
3. Since October, the University directly engaged in racist harassment of Palestinian students and students associated with Palestinians. For example, on October 12, 2023, a Columbia employee, while standing near an SJP protest for Palestinian rights, stated, in an interview with student-run radio WKCR station, “I hope every one of those people die.” Students at the protest were Palestinian, Arab, and/or Muslim, or were associated with Palestinians. Standing near the same protest, Columbia Professor Shai Davidai made anti-Palestinian comments and insinuated that the students were supporters of terrorism. On October 18, 2023, Davidai spoke at a vigil on Columbia’s campus where he called on Columbia to “eradicate pro-terror student organizations,” in apparent reference to Students for Justice in Palestine, which he likened to supporters of ISIS, a racist anti-Palestinian stereotype. On the social media site X (formerly Twitter), Davidai has also compared Palestinian students and students affiliated with Palestinians to people who would celebrate 9/11, another dangerous and racist stereotype. Since October, Davidai has persisted in his harassment of Columbia students who are Palestinian or are affiliated with Palestinians, which will be detailed in our forthcoming report. Despite ample and

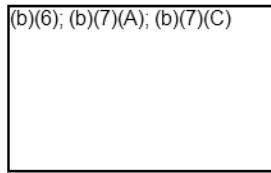
³ Nearly three weeks after her initial statement expressing horror at the attacks in Israel, on October 27, President Shafik sent an email condemning antisemitic incidents on campus, whereby she also mentioned that Palestinian, Muslim and Arab students had been doxed. The message did not express condemnation of Israel’s attack on Gaza or provide resources to students impacted by these attacks, as she had done in her October 9 email. In fact, the email did not mention the word Gaza.

early notice of Davidai's actions, it appears Columbia waited until February to investigate Davidai, which, upon information and belief, is still on going. To our knowledge, Columbia has not made any statements condemning Davidai's actions or language conflating Palestinians (or students perceived to be Palestinian or associating with Palestinians) with terrorism, ISIS, or 9/11.

Based on the facts described here, and our forthcoming supplementary report, we urge you to conduct a systemic investigation into Columbia University for violating its obligations under Title VI of the Civil Rights Act of 1964.

As a university obligated to provide an educational environment welcoming to all regardless of race, color or national origin, Columbia cannot justify its failure to address the hostile anti-Palestinian, anti-Arab, and anti-Muslim environment that Maryam Alwan, Layla Saliba, Deen Haleem, Daria Mateescu, and Columbia Students for Justice in Palestine were subjected to, nor its own discriminatory treatment of Palestinian students, students perceived to be Palestinian and students associated with Palestinians.

Sincerely,



Sabiya Ahamed

Staff Attorney
Palestine Legal



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

26 FEDERAL PLAZA, SUITE 31 – 100
NEW YORK, NEW YORK 10278

REGION 2

NEW JERSEY
NEW YORK
PUERTO RICO
U.S. VIRGIN ISLANDS

May 2, 2024

Sent via 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 Number 02-24-2363 - Columbia University

Dear President Shafik:

On April 8, 2024, the U.S. Department of Education (the Department), Office for Civil Rights (OCR) received a complaint filed against Columbia University (the University) by Palestine Legal on behalf of University students and Columbia Students for Justice in Palestine (Columbia SJP). On April 25, 2024, OCR received an addendum to the complaint with additional allegations against the University (the Addendum). The complaint and the Addendum allege that the University has discriminated and continues to discriminate against students on the basis of their actual or perceived national origin/ethnicity (including shared Palestinian, Arab, and/or Muslim ancestry) or their association with this national origin/ethnicity since October 9, 2023. The allegations include that the University has failed to respond promptly and effectively to reported threats, including death threats, and incidents of harassment of these students by other students, employees, Public Safety Officers, and/or third parties; permitted the posting of anti-Palestine and Islamophobic posters and flyers on campus; failed to issue public statements and provide resources in support of Palestinian/perceived Palestinian students on campus; not offering these students supports and not protecting these students from counter-protestors during and following a rally hosted by these students.

In addition, the filers of the complaint and the Addendum alleged that the University discriminated and/or retaliated against University students on the basis of their actual or perceived national origin (shared Palestinian and/or Muslim ancestry), their advocacy for individuals of this national origin/ethnicity, and/or their association with this national origin/ethnicity by targeting these students for discipline, including notifying them of alleged violations of the Rules of University Conduct, suspending them from the University, and having them arrested since December 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 bases of race, color, and national origin (including shared ancestry) in programs and activities receiving federal financial assistance from the Department. The regulation implementing Title VI, at 34 C.F.R. § 100.7(e), provides that no recipient or other person shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by regulations enforced by OCR or because one has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing held in connection with a complaint. As a recipient of federal financial assistance from the Department, the University must comply with Title VI and its implementing regulations.

OCR will investigate the following issues: (1) whether the University responded in a manner consistent with the requirements of Title VI to alleged harassment of University students by other students, employees, Public Safety Officers, and/or third parties based on actual and/or perceived national origin/ethnicity (including shared Palestinian, Arab, and/or Muslim ancestry) or the student's association with this national origin/ethnicity; (2) whether the University violated Title VI by engaging in disparate treatment of University students based on their actual or perceived national origin/ethnicity (including shared Palestinian, Arab, and/or Muslim ancestry) or the student's association with this national origin/ethnicity; and (3) whether the University violated Title VI by engaging in retaliation against University students for their advocacy based on actual or perceived national origin (shared Palestinian and/or Muslim ancestry) or their association with this national origin/ethnicity.

Please understand that opening an investigation under Title VI does not mean that OCR has made a determination with regard to the 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 sufficient as required by OCR's Case Processing Manual (CPM) (July 18, 2022). You may find additional information in 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 may close this case 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. For example, under Section 201(b) of OCR's CPM, 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.

To reach an efficient resolution of this case, OCR is providing an opportunity for the University to present its response to the complaint'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.

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 (FOIA), 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; Leanne Tyler, Compliance Team Attorney, at (202) 987-0804 or leanne.tyler@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
OCR Case Number 02-24-2363

OCR requests that this information reach our office within **20 days from the date of the attached letter, which is May 22, 2024**. 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 or Leanne Tyler to receive online portal information to upload data.

Email: joy.purcell@ed.gov; leanne.tyler@ed.gov

Fax: (646) 428-3843

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.

Please do not include Social Security numbers in your responses. If any responsive documents or data contain Social Security numbers, please redact them before sending OCR the information.

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 the University's employees preserve other data and documents that are relevant to the allegation(s) under investigation until OCR closes this case. 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 reach a compliance determination.

Response Due: May 22, 2024

Please provide the following information for school year 2023-2024, unless otherwise indicated, or indicate in writing if any of the requested items do not exist. **If the University already has provided any of the information requested in response to another OCR investigation (e.g., 02-24-2083 and 02-24-2383), please state that and provide the case number and date of submission:**

1. Provide a narrative response to the issue(s) OCR is investigating in this case and a copy of any documents or data relied upon in the narrative or supporting the facts stated in the narrative.
2. Indicate whether the issues raised in this investigation are pending elsewhere. If so, please provide a copy of the complaint filed and indicate the status of the complaint. If it is not possible to provide a copy of the complaint, please indicate the allegations raised in the other complaint and the forum in which the complaint was filed (e.g., another federal, state, or local civil rights enforcement agency, through the University's internal grievance procedures, or in state or federal court).
3. Copies of the University's policies and procedures, and/or a description of the University's practices, governing student requests to host events on the University's campus, including a description of the circumstances under which the University would deny a student request to hold an event on campus. Include the names and job titles of all University staff responsible for making the decision to approve or deny such a request.
4. State whether the University has denied any student request to hold an event on campus since October 2023. If so, provide the following information for each request:
 - a. the name(s) of the student(s) or student organization(s);
 - b. the name(s) and job title(s) of the University staff member(s) responsible for denying the request;
 - c. the name, national origin/ethnicity/shared ancestry of each student, employee, or other individual involved.
 - d. the reason(s) the University denied the request, including a copy of any written explanation communicated by any University employee to any other employee and/or to any student(s) and/or student organization(s), and indicate any policies or procedures relied upon; and
 - e. copies of all related documentation, including correspondence between College staff and students and/or among University staff, any relevant policies or procedures, emails, memoranda, reports, notes, logs, forms, and/or meeting minutes.
5. Copies of the University's policies and procedures, and/or a description of the University's practices, governing the display of posters, flyers, signs, or other items on the campus, including a description of the circumstances under which the University would deny a request to display items on campus or remove such items from campus. Include the names and job titles of all University staff responsible for making the

decision to approve or deny such a request and any University staff with authority to remove unauthorized posters, flyers, or items.

6. State whether the University offered support, protection, accommodations, including counseling and wellness services, and/or other resources to students who were affected by events in Israel and Gaza and/or who felt uncomfortable or unsafe coming to campus since October 2023. If yes, please provide:
 - a. the name(s) of the students to whom the University offered such services;
 - b. the national origin/ethnicity/shared ancestry of each student, employee, or other individual involved;
 - c. the names of the individual(s) and their position titles who made the decision to offer these services;
 - d. a description of the rationale for doing so; and
 - e. copies of all related documentation, including, but not limited to, correspondence, minutes of any formal or informal meetings, notes, internal memoranda, emails, telephone logs.
7. Copies of any public statements the University issued on or after October 7, 2023, stating support for Jewish students and/or Israeli communities.
8. Copies of any public statements the University issued on or after October 7, 2023, stating support for Palestinian communities.
9. Copies of all requests the University received after October 7, 2023, requesting that the University issue a statement supporting Palestinian students and/or Palestinian communities. For each request provide:
 - a. the date of the request (if not apparent from the request);
 - b. the name or the requestor and his/her/their relation to the University;
 - c. whether the University granted or denied the request, including the University's rationale;
 - d. a copy of the University's response to the request;
 - e. copies of any public statements the University issued stating support for Palestinians;
 - f. the names of the individual(s) and their position/titles who responded to the requests; and
 - g. copies of all related documentation, including but not limited to, correspondence, minutes of any formal or informal meetings, notes, internal memoranda, emails, telephone logs.
10. A copy of all University policies or procedures related to “doxing” or the act of publicly providing personally identifiable information about an individual or organization in the University community.

11. Copies of all formal and informal reports/complaints, including records of oral reports/complaints, concerning alleged “doxing” or the act of publicly providing personally identifiable information about an individual or organization in the University community. For each complaint/report, provide:
 - a. the name(s) and title(s) of the individual(s) to whom the complaint/report was made, and the date of the complaint/report;
 - b. a detailed description of the complaint processing procedures employed to resolve the complaint/report;
 - c. the name(s) and title(s) of the individual(s) involved in the handling of the complaint/report;
 - d. all actions the University took in response to the complaint/report;
 - e. the University’s final determination regarding the complaint/report;
 - f. any corrective action taken;
 - g. the length of the process; and
 - h. any notice of the findings provided to the complainant.
12. Copies of the University’s policies and procedures, and/or a description of the University’s practices, governing student conduct and student discipline, issuing notices of potential violations of the Rules of University conduct, disciplinary suspensions, expulsions, and/or referrals to/involvement of law enforcement, including the process for appealing such decisions.
13. For academic year 2023-2024, a list of all students whom the University notified of potential violations of the Rules of University Conduct, referred for suspension, suspended, expelled, and/or referred to law enforcement. For each student, provide the following:
 - a. the student’s name;
 - b. the student’s race/color, and/or national origin/ethnicity/shared ancestry;
 - c. the date of the University’s determination regarding student’s referral for suspension, suspension, expulsion, and/or referral to law enforcement;
 - d. the reason(s) the University determination, including reference(s) to the University’s Code of Conduct and any other relevant policies or procedures upon which it relied;
 - e. the name(s) and job title(s) of the individuals involved in making the determination(s);
 - f. the name(s) and job title(s) of the individuals involved in the handling/adjudication of any hearing regarding the determination(s);
 - g. all actions taken by the University in response to the determination(s), including any other disciplinary sanctions and/or services offered or provided to the student (e.g., counseling, tutoring, safety measures);
 - h. the final outcome of any investigation, including copies of any incident/investigative reports, witness statements, hearing transcripts and/or audio recordings;
 - i. whether the student, or anyone acting on behalf of the student, had engaged in a protected activity prior to the University’s determination. 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; and

- j. copies of all related documentation, including correspondence between University staff and the student, and/or among University staff, relevant policies and procedures, minutes of any formal or informal meetings, notes, internal memoranda, emails, and/or incident reports, summary of investigations and/or witness statements.

14. The name, job title, address, telephone number, fax number and email address of the University's contact person for this complaint.

15. Any other information the University believes will assist OCR.