



April 16, 2024

**SENT VIA EMAIL**

<p>New York Office Office for Civil Rights U.S. Department of Education New York, NY Email: <a href="mailto:OCR.NewYork@ed.gov">OCR.NewYork@ed.gov</a></p>	<p>Assistant Secretary – Catherine E. Lhamon U.S. Department of Education Office for Civil Rights Washington, DC Email: <a href="mailto:OCR@ed.gov">OCR@ed.gov</a></p>	<p>Deputy Assistant Attorney General for Civil Rights – Johnathan Smith Title VI Section Chief – Christine Stoneman Education Section Chief – Shaheena Simons U.S. Department of Justice Washington, DC Emails: <a href="mailto:Johnathan.smith@usdoj.gov">Johnathan.smith@usdoj.gov</a>, <a href="mailto:Christine.Stoneman@usdoj.gov">Christine.Stoneman@usdoj.gov</a>, <a href="mailto:Shaheena.Simons@usdoj.gov">Shaheena.Simons@usdoj.gov</a></p>
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**Re: Complaint Against the City University of New York School of Law Concerning Anti-Palestinian Discrimination**

Assistant Secretary Lhamon, Deputy Assistant Attorney General Smith, et al.:

Muslim Advocates writes to make a complaint against the City University of New York School of Law (“CUNY Law” or “the law school”) concerning anti-Palestinian discrimination that CUNY Law students have been experiencing from the campus over the course of this academic year. The allegations in this complaint reflect instances of direct and indirect discrimination by CUNY Law that amount to an ongoing pattern and practice of discrimination against students who hold, are perceived to hold, or are affiliated or associated with Palestinian identity—including student members of the law school’s chapter of Students for Justice in Palestine (“SJP”) and other students who have been involved in activism supporting Palestinian lives and liberation this academic year. Based on the allegations in this complaint of anti-Palestinian discrimination by CUNY Law School, we urge systemic investigation and remediation under Title VI of the Civil

Rights Act of 1964, 42 U.S.C. § 2000d, *et seq.* (“Title VI”), its implementing regulations, and related OCR policies and guidance.

## **I. OCR’s Jurisdiction to Review This Complaint**

CUNY Law is a public university that receives federal funding from the U.S. Department of Education and is therefore subject to Title VI. 34 C.F.R. §§ 101.1–101.2. The allegations in this complaint reflect national-origin discrimination under Title VI against students who hold Palestinian identity or who are perceived to hold it or are affiliated or associated with it by virtue of their skin color, dress, the ancestry of their name(s), their religious practice(s), and/or their speech and activism in support of Palestinian lives. This complaint is timely because it alleges an ongoing pattern and practice of anti-Palestinian discrimination and a related hostile environment at CUNY Law reflected in various incidents on and around the campus, the most recent of which have occurred within 180 days. *Id.* § 100.7(b). Muslim Advocates has not raised the Title VI claims in this complaint against CUNY Law to another agency or forum.

## **II. Factual Allegations**

### ***A. The law school terminated its custom of having a student speaker at commencement, in order to prevent speech in support of Palestinian lives and liberation.***

As a matter of course, for years, CUNY Law has had the custom of having a student-elected speaker speak at graduation.<sup>1</sup> This year, that custom was terminated as a reaction (1) against the references to the struggle for Palestinian freedom made by the student-elected speakers of the two prior years and (2) against the persevering and ongoing activism on campus this year in support of Palestinian lives.<sup>2</sup> The termination of the custom has contributed to an ongoing pattern and practice of anti-Palestinian discrimination by the law school.

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<sup>1</sup> See, e.g., CUNY School of Law, [#1 Public Interest Law School Delivers the Next Generation of Social Justice Advocates to the Legal Profession](#), May 13, 2021 (referencing 2021 student speaker); CUNY School of Law, [Facebook post, May 15, 2020](#) (referencing 2020 student speaker); CUNY School of Law, [Twitter post, May 17, 2019](#) (referencing 2019 student speaker); CUNY School of Law, [Facebook post, May 11, 2018](#) (referencing 2018 student speaker); CUNY School of Law, [CUNY Law Celebrates the Class of 2017](#), May 18, 2017 (referencing 2017 student speaker); CUNY School of Law, [CUNY Law Celebrates the Class of 2016](#), May 11, 2016 (referencing 2016 student speaker).

<sup>2</sup> In addition to the public-source material hyperlinked throughout Section II(A) of this complaint, redacted evidence corroborating some of the allegations in Section II(A) is available at Exhibit A of this complaint.

## 1. Discriminatory reaction to the two prior student commencement speakers

The student-elected speakers for the law school's graduation ceremonies in 2022 and 2023 are both brown-skinned, ethnically Arab, visibly Muslim women who each wore a hijab during their respective commencement speeches. Both of their speeches included support for Palestinian lives and praised the support from CUNY Law students and faculty of a student-sponsored resolution calling for boycott, divestment, and sanctions ("BDS") against the Israeli government because of its policies and practices harming Palestinian lives. The speech of the 2022 student speaker drew widespread public attention. The speech of the 2023 student speaker drew even more widespread public attention, including controversial comments from the CUNY Chancellor and Board of Trustees that wrongly characterized her remarks as including putative "hate speech."

The controversial remarks of the Chancellor and Board of Trustees, in turn, generated public support and defense of the 2023 student speaker, including from Jewish Voice for Peace, the Civil Rights Committee of the New York City Bar Association, thirteen civil rights and social justice organizations, the CUNY Professional Staff Congress, and faculty of CUNY Law and assorted other campuses. The joint letter from civil rights and social justice organizations noted, in pertinent part, that:

Not only does **the May 30<sup>th</sup> [2023] Statement [of the Chancellor and Board of Trustees]** violate CUNY's First Amendment obligations as a public university, it also **raises concerns under Title VI . . . [and]** is evidence that **CUNY not only failed to address the anti-Arab, anti-Palestinian and Islamophobic harassment [the student speaker] was experiencing, but actively contributed to it by suggesting that it is unlawful or prohibited to say that Palestinians exist as a people in equality with other people.**

(emphases added).

On September 12, 2023, a rally occurred outside the office of the CUNY Chancellor, organized by people who adamantly believe that rejection and even criticism of the political ideology of Zionism necessarily constitute anti-Jewish hate. Many of their demands focused on CUNY Law, including the demand that the law

school do away with its custom of allowing student speakers at its graduation ceremonies.

One day later, on September 13, 2023, the decision to terminate the custom of having a student speaker at the law school's commencement was announced within a faculty meeting at CUNY Law, with little explanation.<sup>3</sup> Many at the law school were unaware of the decision, until news of it leaked to the press in October 2023.

**2. Discriminatory reaction to current student activism and the related fear that, if given the chance, students again would select a peer to speak at commencement in support of Palestinian lives and freedom**

From October 2023 to date, students of the law school have made repeated and ongoing attempts to engage with the law school administration to voice their concerns about the revocation of the student-speaker custom. Among the most recent examples of the students' efforts is a sign-on letter emailed on March 22, 2024, to the CUNY Law Dean and the CUNY Chancellor and signed by 81 of approximately 110 graduating full-time students of the law school, 19 graduating part-time students, 73 second-year students, and 57 first-year students.

Notwithstanding students' repeated and ongoing efforts to flag their concerns about the revocation of the student-speaker custom, law school administration has remained unresponsive and deliberately indifferent to those concerns. Many students understand that indifference to reflect the administration's awareness of and hostility to on-campus student activism in support of Palestinian life and liberation over the course of this academic year.

Student activism this year in support of Palestinian freedom has been persevering in the face of responsive hostility and repression from the law school (elaborated throughout this complaint). Such student activism has spanned efforts including: a solidarity statement dated October 12, 2023, and signed by over 16 student groups of the law school; a variety of political actions held on and around the law school on/around October 19, 2023; a political action on campus in the form of a "die-in" on October 25, 2023, to bring attention to the over 6,000 civilians at the time whom the Israeli military had killed in Gaza; a variety of on-campus political actions held on November 29, 2023; and a political action in the form of a walk-out

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<sup>3</sup> The notes of a representative of CUNY Law student government who was present at the September 13, 2023, faculty meeting are publicly available [here](#).

on February 8, 2024. Understandably, many students believe that their activism this year for Palestinian lives and liberation has led the CUNY Law administration to stand firm in its revocation of the student-speaker custom, for fear that, if given the chance, graduating students of the law school would, again, elect a student speaker to decry the devastating impacts of Israeli state violence on Palestinian lives.

### 3. Harms to students' education and learning

The anti-Palestinian discrimination reflected in the revocation of the student-speaker custom has been harming many students' learning and educational experiences and contributing to an ongoing pattern and practice of anti-Palestinian discrimination on campus. The ongoing nature of the revocation of the student-speaker custom and of the law school's refusal to engage about it transparently have been placing the burden on students to persist in their related advocacy, including but not limited to aiding in the preparation of this complaint, and notwithstanding many other burdens on the students' time and energy, arising from their classes, jobs, family obligations, and community obligations. All of these burdens combine with students' grief for the devastation that Palestinians are trying to survive, a grief that is especially acute for Palestinian and Arab students who are desperately afraid for and preoccupied about loved ones who live in and around Palestine.

For example, (b)(6); (b)(7)(A); (b)(7)(C)

has been vocal and visible on campus this year in support of Palestinian life and freedom, through both his on-campus activism and (b)(6); (b)(7)(A); (b)(7)(C). He reports that the termination of the student-speaker custom and the law school's resistance to subsequent student advocacy seeking the custom's reinstatement have been hindering his educational experience. As one of many (b)(6); (b)(7)(A); (b)(7)(C) students who attend the law school, (b)(6); (b)(7)(A); (b)(7)(C) has felt distressed by the law school's policing of student political speech, which is depriving him and his classmates the opportunity to uplift and celebrate a peer by nominating them to be student commencement speaker. (b)(6); (b)(7)(A); (b)(7)(C) reports that his "studies have been impacted during this school year because I keep having to engage in endless conversations and meetings with classmates, faculty, and administrators about the racism behind the termination of the student-speaker custom and why the custom should be reinstated."

(b)(6); (b)(7)(A); (b)(7)(C) experience is not exceptional. CUNY Law is the most diverse law school in the United States, including many first-generation law students, and its

motto is “law in the service of human needs.” In the view of many CUNY Law students like (b)(6); (b)(7)(A) the human needs of the Palestinian people—who are currently facing famine, genocide, and countless other erasures through overwhelming state violence—are among the most pressing human needs imaginable. To be denied the chance to nominate or even hear from a peer at graduation deprives students like (b)(6); (b)(7)(A) the chance to experience a core element of the educational program of the law school, in which a peer can offer a climactic perspective on what the law school’s motto means to them and why—including and especially in reference to the most pressing human needs of the time, like the Palestinian struggle for life and freedom. For that core custom to be terminated based on anti-Palestinian racism against the student speakers from the prior two law school commencements and against the many student activists this year who have been visible and vocal on campus in supporting Palestinian lives is deeply upsetting for many students of the law school in ways that have distracted them from their studies and compromised their experience of the campus.

As stated in a 2016 report about the learning environment on CUNY campuses, “the First Amendment does not permit a public university to take action” against protected speech, even if some find the speech offensive.<sup>4</sup> The Supreme Court has stated that free speech may “best serve its high purpose even when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger.”<sup>5</sup> Political speech is especially crucial in the context of a school like CUNY Law, which aims to train its students to think and communicate critically and unflinchingly about starkly opposing viewpoints that, in many respects, abound in both legal and policy advocacy. For the CUNY system to restrict such expression by law students in training is outrageous, particularly when such restrictions reflect anti-Palestinian discrimination.

***B. On and around campus, the law school has permitted police surveillance targeted at activism supporting Palestinian life and freedom.***

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<sup>4</sup> Bracewell LLP, *Report to Chancellor Milliken on Allegations of Anti-Semitism*, Sep. 6, 2016, at 20 <https://www.cuny.edu/wp-content/uploads/sites/4/page-assets/news/newswire/assets/CUNYReport.pdf>

<sup>5</sup> *Terminiello v. Chicago*, 337 U.S. 1, 4 (1949).

Over the course of this academic year, CUNY Law students supporting Palestinian lives and liberation have faced targeted police surveillance and scrutiny on and around campus that their fellow CUNY Law students have not faced, contributing to an ongoing pattern and practice of anti-Palestinian discrimination by the law school. They have reason to believe that the law school and/or CUNY Central invited or otherwise enabled the police presence targeting activism in support of Palestinian lives.<sup>6</sup>

### 1. October 2023 police surveillance

On October 11, 2023, the CUNY chancellor sent a university-wide email expressing support, sympathy, and grief for people impacted by the attacks of Hamas within Israel on October 7, 2023—making no mention whatsoever of the Palestinian people or their struggle through decades of Israeli state violence. The Chancellor’s statement led CUNY Law faculty to issue a responsive statement on October 13, 2023, expressing concern and dismay about his erasure of Palestinians and his unwillingness to remark on the collective punishment of Palestinians that the Israeli government had begun in recent days. Many CUNY Law students responded similarly to the Chancellor’s statement and began to plan a related protest to occur on and around the law school campus on October 19, 2023. The protest expressed overwhelming student support for Palestinian lives and liberation and also brought attention to the revocation of the student-speaker custom from commencement.

During the protest, students witnessed officers of the New York Police Department (“NYPD”) enter through the main entrance of the building and remain inside the first floor of the building. Students saw at least two undercover officers inside the CUNY Law building. The students who joined the protest, most of whom hold, are perceived to hold, or are associated or affiliated with Palestinian identity felt threatened and silenced by the presence of NYPD officers at their school.

(b)(6); (b)(7)(A); (b)(7)(C) student who witnessed the officers inside the school, reports:

“I was walking through the law school. As I passed through the second floor hallway near the auditorium, I observed a plainclothes police

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<sup>6</sup> In addition to the public-source material hyperlinked in Section II(B) of this complaint, redacted evidence corroborating some of the allegations in Section II(B) is available at Exhibit B of this complaint.

woman stationed there, surveilling the peaceful protest in Rafferty Triangle through the windows. I was able to identify her as a police officer based on her plain windbreaker, the weapon visible on her hip, and her walkie talkie. I had also never seen her in the law school before. The second undercover officer I saw was after I had made my way down to the CUNY Law Lobby. I observed a (b)(6); (b)(7)(A); (b)(7)(C) man in street clothes, not a student or a teacher, walk into the school, past the security who waved him through, through the opened ID gate checkpoint and into the halls of the school. The protocol for every visitor of the school is that they present ID and are escorted through the building. Instead, this unidentified man was allowed to roam the halls unattended without identifying himself to security.”

The next day, on October 20, 2023, NYPD officers continued their surveillance of the CUNY Law building. Throughout the day, there was an NYPD vehicle parked outside of the Law School with officers posted inside the lobby surveilling anyone who entered or exited the building.

## 2. November 2023 police surveillance

On Wednesday November 1, 2023, many SJP students attended the monthly faculty meeting to raise concerns about the police presence on campus, including inside the law school building.<sup>7</sup>

On Thursday November 9, 2023, SJP students held a peaceful student walk-out in support of Palestinian life and freedom and faced heavy police presence during it. The entire length of Crescent Street from the intersection with 44<sup>th</sup> Drive and the intersection with 44<sup>th</sup> Road was lined with undercover police cars with uniformed police inside of them.

On Tuesday, November 14, 2023, the CUNY Law administration issued a last-minute cancellation of an event organized by the CUNY Law Muslim Law Student Association executive board, titled “Fighting Complicity Against Genocide.” It was to be a panel discussion about U.S. complicity in the ongoing genocide of Palestinians in Gaza, moderated by a CUNY Law alumna of Palestinian ethnicity who is currently a clinical fellow at the law school, and involving the alumni who had been the student speakers at the law school’s commencement, respectively, in

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<sup>7</sup> The notes of representatives from CUNY Law Student Government who were present at the November 1, 2023, faculty meeting are publicly available [here](#).

2022 and 2023. On Wednesday, November 15, 2023—the day the event was meant to take place—students and other event registrants protested its abrupt cancellation outside of CUNY Law’s main entrance. In response, at least forty armed police officers surrounded the protestors. There were also a handful of police officers inside the lobby of CUNY Law, watching the protestors from inside the main entrance. More details about this incident can be found at Section II(D) of this complaint.

### 3. December 2023 police surveillance

On Wednesday, December 13, 2023, in front of the law school’s main entrance, CUNY Law students held a candlelight vigil at Rafferty Triangle for the many thousands of Palestinians killed by the Israeli military since October. At 5 p.m., approximately 20 students gathered in front of the law school building with candles, music, flowers, and poetry. However, even before 5 p.m., there were uniformed police officers seated in at least six undercover, NYPD cars stopped or parked along Crescent Street and 44<sup>th</sup> Drive. During the vigil, two NYPD vans arrived and parked across the street, and officers got out of their cars and stood to watch the students who had gathered for the vigil. One officer’s jacket identified the officer as “NYPD Legal.”

### 4. Absence of police surveillance for any other CUNY Law activities or events

At no other time this academic year have the police been invited to or present at CUNY Law, as far as many students are aware. In fact, in the November 1, 2023, faculty meeting, a tenured professor of the law school highlighted that, contrary to the recent and heavy police presence on and around campus, there had been a custom of keeping the NYPD out of and away from CUNY Law events, activities, etc.<sup>8</sup>

Indeed, student-organized events are routinely held at CUNY Law without any presence of or collaboration with the NYPD. For example, as far as many students are aware, no police presence accompanied or resulted from any of the events that were unaffiliated with support for Palestinian freedom and that occurred on campus from November 2023 – December 2023, including: (1) the “Welcome Reception – AAPI, MENA, Women in Legal Academia” event, which was

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<sup>8</sup> The notes of representatives from CUNY Law Student Government who were present at the November 1, 2023, faculty meeting are publicly available [here](#).

open to students, staff, faculty, and the public; and (2) the DIY Legal Name Change event hosted by CUNY OUTLaws (CUNY Law's LGBTQ2IA+ student affinity group) and intended to prepare trans and gender non-conforming students, staff, and faculty of the law school for the pro-se legal name change process.

5. Harms resulting from police scrutiny targeted to activism on and around campus in support of Palestinian lives and liberation

The heavy police presence at and around the law school this academic year, solely in connection with events reflecting support of Palestinian life and freedom, has contributed to an ongoing pattern and practice of anti-Palestinian discrimination by the law school that has caused students to experience anxiety and fear that has distracted them from their studies and discouraged them from attending their classes. These impacts have been felt predominantly and acutely by CUNY Law students who hold, are perceived to hold, or are associated or affiliated with Palestinian identity. Many such students have come to feel and conclude that they do not enjoy the same rights and privileges as their peers on campus who have no association or affiliation with Palestinian identity.

(b)(6); (b)(7)(A); (b)(7)(C) student, expressed that they felt threatened and unsafe in their educational environment because of the heavy police presence at school. Discussing the fact that this police presence occurred in direct response to campus advocacy in support of Palestinian freedom, they stated, "I felt that (b)(6); (b)(7)(A); (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) student who supports Palestinian life and freedom and (b)(6); (b)(7)(A); (b)(7)(C) stated "I am one of the students that (b)(6); (b)(7)(A); (b)(7)(C) the December 13, 2023, vigil. Walking outside and being greeted with dozens of police cars and surveilled by police throughout the entirety of the vigil was infuriating and terrifying. We had candles, flowers, poetry and songs, and our administration felt it was necessary to enable the NYPD to surveil us. I am supposed to be able to approach members of the administration for support when I need it. I am (b)(6); (b)(7)(A); (b)(7)(C) student and (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) at the related on-campus event this academic year because I feel I cannot trust the administrators at this school, given how, since October, they have mistreated me and my classmates supporting Palestinian freedom."

***C. Campus administration willfully ignored doxxing and harassment occurring directly in front of the law school building and that was targeted at students supporting Palestinian life and liberation.***

During this academic year, the CUNY Law administration contributed to a hostile, anti-Palestinian environment on campus by (1) having actual knowledge of third-party doxxing and harassment of students who hold, are perceived to hold, or who are associated or affiliated with Palestinian identity and (2) acting with deliberate indifference to those students' concerns.<sup>9</sup>

On the morning of November 2, 2023, a doxxing truck funded by the right-wing media group, Accuracy in Media (“AIM”), and its chief executive officer (“CEO”), Adam Guillette, appeared at CUNY Law. Guillette, as well as the (b)(6); (b)(6); (b)(7)(A); (b)(7)(C) accompanying him, verbally harassed, filmed, and assaulted CUNY Law students. Despite having been notified of the truck’s appearance in advance and having been asked to protect students, the CUNY Law administration failed to act, showing deliberate indifference and contributing to a hostile, anti-Palestinian environment at the law school.

**1. Context about what doxxing is**

Accuracy in Media (“AIM”) is a right-wing media group dedicated to the intimidation and doxxing of people, usually students, who advocate for Palestinian rights. AIM’s practice is to plaster students’ faces, full names, and sometimes other personal information, on the side of billboard trucks (“doxxing trucks”) that are then deployed to the students’ campuses, homes, parents’ homes, and other locations. Adam Guillette, the CEO of AIM, often accompanies the doxxing trucks with a cameraman and posts about reactions on his social media. AIM’s doxxing trucks have been wielded against student advocates for Palestinian rights on many campuses, including those of Harvard, Berkeley, George Washington, Yale, and Brown universities. Guillette and the truck have also shown up elsewhere within the CUNY system, at Hunter College.

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<sup>9</sup> In addition to the public-source material hyperlinked in Section II(C) of this complaint, redacted evidence corroborating some of the allegations in Section II(C) is available at Exhibit C of this complaint.

Doxxing is an intimidation and harassment strategy that has been used for years as “a major tactic of Israel advocacy groups to suppress pro-Palestine political expression.” Its purpose is intimidation, mass online harassment, and the marking of targets for online and real-life trolls that often lead to threats of death, sexual violence, anonymous threatening messages, and more. Its use against student advocates for Palestinian rights has significantly escalated since the beginning of the Israeli government’s genocide against Palestinians in Gaza. The tactic has also been used previously to target CUNY Law students advocating for Palestinian rights, similarly with no support or condemnation from the CUNY Law administration.

2. *The administration’s deliberate indifference and resulting harms to students*

Late on November 1, 2023, CUNY Law students learned that an AIM doxxing truck was expected to appear at CUNY Law, accompanied by CEO Adam Guillette, the following day. At 12:34 a.m. on November 2, 2023, CUNY Law student organizations, led by the Jewish Law Student Association, notified the CUNY Law Dean and the CUNY Law Public Safety and Facilities Chief about the doxxing truck. The students explicitly outlined the harms to CUNY Law students’ privacy, personal safety, and learning environment presented by the doxxing truck. The students asked the Dean and the Facilities Chief to support student privacy and personal safety, to “learn from [the CUNY Law administration’s] past mistakes” and passivity when students previously faced similar threats, and to, at minimum, condemn AIM’s actions and “all other efforts to harass and intimidate students.”

The reasonableness of these requests is underscored by the lack of hesitation on the part of other university and law school administrations to condemn AIM doxxing trucks and provide public support to doxxed students. For instance, a full year prior, on October 22, 2022, the dean of Berkeley Law issued a full-throated condemnation of the appearance of AIM doxxing trucks on his campus. In stark contrast, CUNY Law students received no response from the CUNY Law administration and no action was taken in support or protection of students.

After seeing no response or intent to protect students from administration, students organized quickly to protect any peers whose identities AIM projected on the truck. When the doxxing truck arrived and parked illegally and directly outside the CUNY Law doors, students brought umbrellas, balloons, posters, and banners to block the screens; rearranged plans; and missed class to protect one another.

When the truck illegally parked in front of the school, students calmly and silently surrounded it while holding up various signs and materials to block the screens.

AIM CEO Guillette arrived with (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C). Together, they verbally harassed and filmed the students who were peacefully, visually blocking the doxxing truck. Guillette jeered at students, hurling at them both insults about their intelligence and baseless, inflammatory accusations of antisemitism and supporting putative terrorism. The (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) When students would not respond to Guillette's questions, he became increasingly more aggressive and his questions more provocative, even rising to full-blown yelling at students to provoke a reaction. At several points, students stood in front of the (b)(6); (b)(7)(A); (b)(7)(C) with an umbrella to protect everyone's identities. In one of these moments, an (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) At one point, Guillette's (b)(6); (b)(7)(A); (b)(7)(C)

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

Throughout the several hours that this took place, the (b)(6); (b)(7)(A); (b)(7)(C) and members of the (b)(6); (b)(7)(A); (b)(7)(C) could be seen standing in the lobby and watching the events take place. Despite actual and prior knowledge of the doxxing truck's appearance, (b)(6); (b)(7)(A); (b)(7)(C) and her administration offered no support to students and took no action to mitigate a wildly hostile environment. In contrast, their presence as silent spectators in the CUNY Law lobby sent the clear message that CUNY Law students who hold, are perceived to hold, or are associated or affiliated with Palestinian identity cannot expect their school's administration to support or protect their rights or safety—not even through simple verbal condemnation of the harassment and endangerment facing students.

Consequently, such students are fearful on campus, experiencing the law school to be hostile and anti-Palestinian. For example, (b)(6); (b)(7)(A); (b)(7)(C) student who (b)(6); (b)(7)(A); (b)(7)(C) and on campus is visibly and vocally supportive of Palestinian lives and liberation, stated: "This experience was traumatizing. In our attempts to block the images on the truck from view, our personal space was violated by Guillette, as he forced himself in between our bodies to stick a camera and a microphone in our faces and say horrifying things to us. In these moments, I could see (b)(6); (b)(7)(A); (b)(7)(C) passive face through the windows of the school's front entrance. To think she (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) When I see her around

campus now, I am always met with the same passive stare. I had to go to class directly after the doxxing truck left. I was unable to calm myself down enough to actually fully participate in the class discussion, I was distracted and at one point

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

***D. The law school abruptly canceled an event it had approved, organized by the Muslim Law Students Association, and intended to address the ongoing genocide of Palestinians.***

In November 2023, the Muslim Law Students Association (“MLSA”) of CUNY Law had looked forward to hosting an approved, on-campus event that was to feature conversation between three alumni of the law school:

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

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

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discussion was to address U.S. complicity in the ongoing genocide of Palestinians in Gaza. Its abrupt cancellation one day before it was scheduled to take place because of unspecified and putative “security” concerns contributed to an ongoing pattern and practice of anti-Palestinian discrimination by the campus.<sup>10</sup>

**1. MLSA compliance with applicable protocols at the time**

CUNY MLSA began planning the event in question at the end of October 2023. The MLSA board submitted a timely room request to

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

(b)(6); (b)(7)(A); (b)(7)(C) for use of the CUNY Law auditorium as the event space, with an adjacent room for prayer. The event was scheduled to take place on November 10, 2023. On October 30, 2023, two MLSA board members met with

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

(b)(6); (b)(7)(A); (b)(7)(C) to complete a training with her, during which they introduced the event idea to her. They proposed an event featuring three alumni of CUNY Law, including one who is

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

(b)(6); (b)(7)(A); agreed to the event premise, saying that the three alumni would not be considered “outside speakers” and thus no contract was necessary. However, she stated that the event would require an RSVP list because it was open to members of the public. On November 2, 2023, an MLSA board member followed up with her to confirm the event, in order to begin public promotion and set up the RSVP form.

<sup>10</sup> In addition to the public-source material hyperlinked in Section II(D) of this complaint, redacted evidence corroborating some of the allegations in Section II(D) is available at Exhibit D of this complaint.

(b)(6); (b)(7)(A); (b)(7)(C) confirmed the event would take place on November 10, 2023, and gave deadlines of November 6, 2023, for the MLSA to put in the food request and November 8, 2023, for the MLSA to turn over the RSVP list. Promotion began on November 3, 2023. On the evening of November 7, 2023, the MLSA requested to reschedule the event due to a scheduling conflict for two of the speakers. Both (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) confirmed that the event could be rescheduled to November 15, 2023. The MLSA board redid the RSVP list (109 RSVPs as of November 13), agreed to ID checks for non-CUNY Law students, and provided the updated food request. On the morning of November 13, 2023, the MLSA board provided the (b)(6); (b)(7)(A); (b)(7)(C) the RSVP list and requested check-in tables, at which time (b)(6); (b)(7)(A); (b)(7)(C) again confirmed the event.

## 2. The abrupt cancellation of the event and the national pattern of anti-Palestinian discrimination into which it fits

On November 14, 2023, at 7:37 pm, the Director of Student Affairs emailed just one MLSA board member to state that the pre-approved event was canceled because it required “a heightened public safety presence” and that the college “has not had sufficient time to implement an appropriate safety plan for this event.” The entire MLSA board replied at 8:50 pm, asking for an explanation given the previous approval. The (b)(6); (b)(7)(A); (b)(7)(C) followed up at 9:28 pm, reiterating the ask for approval and specifically asking for an explanation of the “security” concerns. At 11:59 am the following day, on November 15, 2023, the Director of Student Affairs offered no explanation but said that the MLSA could meet with her and the Director of Public Safety at 3:00 pm that day. The Director of Public Safety inadvertently replied to MLSA board members only, stating “[T]ae can’t make that,” referring to the CUNY Law General Counsel. At 12:12 pm, the MLSA responded and said that a 3:00 pm meeting was too close to the scheduled event time, asking for a 1:00 pm meeting instead. At 1:12 pm, the MLSA re-upped their request for a quicker meeting. At 1:19 pm, the Director of Student Affairs said they could meet at 2:00 pm, in-person only. Given the logistical difficulty for an in-person meeting on forty-one-minutes notice, the MLSA board asked for the meeting to be held on Zoom. At 1:29 pm, the Director of Student Affairs refused the remote accommodation request and reiterated that the meeting could only be held in-person at 2:00 pm. The MLSA attempted to compromise with 2:30 pm and reiterated the Zoom request, including to accommodate (b)(6); (b)(7)(A); (b)(7)(C). At 1:51 pm, the Director of Student Affairs refused and offered 5:30 pm or the following day, “because the event is canceled.” The MLSA chose not to attend a meeting without

counsel, and, in lieu of the scheduled panel event, a protest against the abrupt cancellation of the event was held outside CUNY Law and met with a heavy police presence. Ironically, CUNY Law was able to secure numerous police officers very quickly on the day of the event, all the while claiming “security concerns” as the reason the event had to be canceled in the first place.

On November 16, 2023, a faculty member of the (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) reached out to the MLSA board to schedule a meeting between the MLSA board and the Dean of CUNY Law. The meeting took place on November 20, 2023, between the Dean, the Chief Diversity Officer, two faculty members (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) the Director of Public Safety, and the MLSA board. At the meeting, the faculty members flagged that the Task Force had been created in 2021 in order to enable CUNY Law administration to consult with faculty of color to avoid decisions that could harm students and that Task Force members hoped to be utilized by administration in the future, in hopes of preventing issues like the recent, abrupt MLSA event cancellation. The faculty received no response to their offer from the Dean or other administrators.<sup>11</sup>

In contrast to the abrupt cancellation of the MSLA event, the CUNY Law Entertainment and Sports Law Society hosted an event on campus with an outside speaker (the in-house counsel for The New Yorker magazine), without issue, on October 26, 2023. Likewise, on November 21, 2023, the CUNY Black Law Students Association hosted an event on campus, without issue, involving outside speakers for a Movement Lawyering Speed Networking event, held in collaboration with NEBLSA (North East Black Law Student Association) and BALA (Black Attorneys of Legal Aid).

The arbitrary cancellation of the MLSA event under so-called “security” concerns fits into a longstanding but escalating pattern of university cancellations of events supporting Palestinian life and freedom. As documented by the legal advocacy group Palestine Legal, institutional actors, including institutions of higher education, use “recognizable patterns” of deploying bureaucratic barriers to “silence advocacy for Palestinian rights,” including through the cancellation of events.<sup>12</sup>

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<sup>11</sup> A January 23, 2024, memorandum from the Task Force that describes this and other matters is publicly available [here](#).

<sup>12</sup> PALESTINE LEGAL, *The Palestine Exception to Free Speech: A Movement Under Attack in the U.S.* (September 2015) at 16, 28. (As detailed throughout the report, university administrations across campuses have canceled programs, sanctioned students, fired professors, and scrutinized departments in response to external pressure. In so doing, universities treat speech about Palestine differently from other political speech, indicating that the viewpoint of the speech, and not the

Since the beginning of the Israeli government's ongoing genocide of Palestinians in Gaza—which, as of this submission, has killed over 33,000 Palestinian civilians—the following is a non-exhaustive list of cancellations of Palestine-related events at U.S. universities. On October 21, 2023, the University of Vermont canceled a talk scheduled for October 23 by acclaimed Palestinian poet Mohammed El-Kurd. The University of Vermont cited “safety and security” concerns. On November 2, 2023, Barnard College also canceled an event with El-Kurd that its administration had otherwise confirmed and approved on October 30, 2023. On November 16, 2023, Arizona State University canceled a talk by U.S. Representative Rashida Tlaib, citing “procedural issues.” On November 20, 2023, Columbia University canceled for the second time a talk by the Israel and Palestine Director of Human Rights Watch, Omar Shakir, 30 minutes before it was set to begin, citing “security concerns.” In December 2023, the University of Birmingham canceled a staff-student listening session about the current events in Palestine, and in the same month, the University of Pennsylvania canceled a screening of a film critical of the Israeli government, citing “student safety” concerns.

As a result of the CUNY Law administration’s cancellation of the MLSA event, students who hold, are perceived to hold, or are associated or affiliated with Palestinian identity, including through Islamic religious practice, have experienced an ongoing pattern and practice of anti-Palestinian discrimination on campus. For example, (b)(6); (b)(7)(A); (b)(7)(C) student, reports: “As (b)(6); (b)(7)(A); (b)(7)(C) student who (b)(6); (b)(7)(A); (b)(7)(C) and, as such, (b)(6); (b)(7)(A); (b)(7)(C) the administration’s actions have made me anxious, worried, and fearful. Their cancellation of a Muslim Law Student Association event about the genocide in Palestine because of ‘safety and security’ concerns on campus made me feel like the public safety director and school administration think that (b)(6); (b)(7)(A); (b)(7)(C) who support Palestinian life and freedom are considered dangerous and has made it so that I do not trust them to protect me or deliver on their duty to help me become a lawyer. This distrust has had educational impacts on me because I feel like no one in the administration has my back and that they will not be able to help me, or worse, (b)(6); (b)(6); (b)(7)(A); (b)(7)(C) Even worse, the persistence of CUNY Law in calling the NYPD on our protected First Amendment activity has made me (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) It feels like the administration has betrayed its duty to me and has made me feel isolated and mistrustful. Handling a (b)(6); (b)(7)(A); (b)(7)(C)

facially neutral explanations often put forward, drives the censorship, rooted in anti-Palestinian discrimination.)

on top of being worried that (b)(6); (b)(7)(A); (b)(7)(C) and supporting Palestinian lives means that the administration views me as a suspect and not as a student in need of assistance has made me exhausted and wary. The disrespect and hostility with which the administration treats students like me, has made what was otherwise a very positive and interesting educational experience, one of stress, anxiety, fear, and betrayal. (b)(6); (b)(7)(A); (b)(7)(C) and support of Palestinian life but to have it happen at this law school has been very distressing.”

***E. The law school has consistently been repressing on-campus speech that decries state violence against Palestinians and supports their lives and liberation.***

Over the course of this academic year, CUNY Law administration has selectively repressed the speech of students on campus who support Palestinian life and freedom, contributing to an ongoing pattern and practice of anti-Palestinian discrimination by the law school.<sup>13</sup>

**1. Administrators' removal of flyers on October 17–18, 2023**

On October 17, 2023, a group of students posted flyers around the law school to raise awareness of the ongoing genocide in Palestine. This group included Palestinian, Arab, and/or Muslim students, as well as students who were perceived to have these identities based on their donning of keffiyehs, advocacy for Palestine, skin tone, and/or facial features often associated with these identities. The flyers expressed opposition to the one-sided message that the CUNY Chancellor emailed to all CUNY students on October 11, 2023. The flyers demanded that the CUNY Law administration and the Dean of CUNY Law take a stand against the ongoing genocide. The flyers were placed in the same manner and areas in which students and student groups had otherwise been posting flyers, without issue.

On October 18, 2023, (b)(6); (b)(7)(A) a student of the law school, arrived at school at or around (b)(6); (b)(7)(A) and noticed most of the flyers depicting messages supporting Palestinian life had been removed. Flyers for a Halloween event by LALSA (the Latin American Law Student Association), for the “New York Liberation School Book Talk” of the LPE (Law and Political Economy) Collective, and for the “DIY

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<sup>13</sup> In addition to the public-source material hyperlinked in Section II(E) of this complaint, redacted evidence corroborating some of the allegations in Section II(E) is available at Exhibit E of this complaint.

NYC Name Change" event of CUNY OUTLaws (CUNY Law's LGBTQ2IA+ student affinity group) all remained undisturbed. At around 1:00 pm on the same day, multiple students noticed the Director of Student Affairs and (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) both removing flyers expressing support for Palestinian life and subsequently discarding them. Several students have come forward and corroborated this. For example:

Student 1: "[On Wednesday October 18, 2023, at around 1:02 pm], I noticed [the Director of Student Affairs] and another administrator unfamiliar to me removing flyers from a distance on the third floor. When I asked [the Director of Student Affairs] what she was doing, she said she was removing old flyers. However, she stopped removing flyers afterwards . . . At around 1:15pm, I noticed another student confront her and the second person [about the flyer removal]. The second person stated that they were removing old flyers and the student pointed at the flyer in her hand [which contained a message supporting Palestinian life]. The second person began to ask questions about the student club. From what I could hear, the student stated that the flyers were meant to educate people about the genocide . . ."

Student 2 (b)(6); (b)(7)(A) "At approximately 1:15pm EST, I (b)(6); (b)(7)(A); (b)(7)(C) two people from the CUNY law administration, Student Affairs, who were engaging in the removal of flyers condemning the genocide in Gaza. (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) Only one of the administrators engaged me. She said I was (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) I then pulled in a fellow student, [Student 3], to observe the interaction so that the administrator would not be able to make any false claims about my actions. After I pulled in another student, the administrator asked which student group was putting up the flyers and asked why there was no logo on the flyers. I responded that it was students who were raising awareness about the genocide in Gaza. She responded that the genocide was happening outside of the school and that we could "not have a relationship" if I was (b)(6); (b)(7)(A); (b)(7)(C) I told her that we did not have a relationship and that I did not want to have a relationship with a genocide denier. I then informed a Professor of the interaction as well as multiple other students."

Student 3: "I was sitting on the third floor heading to the fridge area and saw [two administrators from Student Affairs] picking up the Palestine flyers. I immediately thought that they were removing them, so, as I was walking towards the fridge, I told another student that they were taking away the flyers. That

student went to speak with the two administrators. When I walked back from the fridge, the student asked me to stop and stay there while they continued to speak with the administrators (it got a little contentious, but the student was not being disrespectful, they were expressing legitimate concerns about the signs) ... that student left, and I stayed and spoke with the administrators. Basically, I asked if they were going to remove the signs, and one of them said they needed to remove “outdated flyers.” I said that I’m at CUNY Law every day and that I only saw those flyers today, so they are definitely not outdated. I also mentioned that it was important to speak out because there is a literal genocide going on, we’re having a student speaker removed because of prior support for Palestine, and that it was important to leave the posters. They started making excuses about how, because the flyers had no dates or events on them, what was the point of leaving them, that peaceful dialogue is needed but not sowing discord...”

All the flyers that the two administrators from Student Affairs removed on October 18, 2023, had messages supporting Palestinian life and freedom. They were meant to inform the student body of the ongoing genocide in Gaza and create legitimate dialogue. Additionally, the removed flyers were not “old,” as they were put up on October 17, 2023, by several students. As far as we are aware, no students have observed the administration’s removing any other flyers conveying any other messages.

## 2. The Dean’s removal of flyers on October 24, 2023

On October 24, 2023, students observed the CUNY Law Dean remove and discard flyers. The flyers removed by the Dean stated a list of demands for which CUNY Law students have been advocating.

Student 4 (b)(6); (b)(7)(A) “Ok, so I’m on the 5<sup>th</sup>-floor, and around 9:30 am, I stopped in the 5<sup>th</sup> floor lounge to fill up my water bottle and noticed the flyer on the table. I went to put my stuff down in the room that I’m going to do a Zoom class in this morning, and then went back toward the lounge to use the bathroom when I saw Dean Setty putting a piece of paper in the recycling. I used the bathroom, dug the paper out of the recycling, and put it back. There were no other papers in the recycling.”

Student 5 (b)(6); (b)(7)(A) “I was going up the escalators at approximately 7:40 am this morning and saw the Dean removing flyers on the tables on the second floor by the escalator. She was with another person, I don’t know if they work for the school

or a maintenance company. I didn't see which flyers she was removing, but I saw her, and she saw me, as well. She then promptly left."

### 3. Administrators' removal of flyers on November 29, 2023

Around or about 8:00 a.m. on November 29, 2023, (b)(6); (b)(7)(A); and another (b)(6); (b)(7)(A); (b)(6); (b)(7)(A); student, (b)(6); (b)(7)(A); posted flyers entitled "New York Crimes" around CUNY Law, on the pillars (columns) used by students, faculty, and administrators for flyers meant to disseminate information to the law school community, on tables around the faculty offices on the fourth and fifth floors, and on tables throughout the library on the sixth floor. All of these flyering locations were common places for posting at CUNY Law. Many of the tables on which (b)(6); (b)(7)(A); and (b)(6); (b)(7)(A); placed copies of the "New York Crimes" flyers already had flyers from other student groups about upcoming or past events. "New York Crimes" is a flyer intended to resemble a print copy of the New York Times. "New York Times" is replaced at the top with "New York Crimes," and the subheading is, "In USA, Support for Genocide Still Strong." In place of news articles, the flyer lists the names and ages of Palestinians killed by Israeli forces in Gaza since October 7, 2023. After putting up these flyers throughout the school, (b)(6); (b)(7)(A); went to a study room in the library.

Around or about 9:30 a.m. the same day, (b)(6); (b)(7)(A); saw an administrator from Student Affairs and a (b)(6); (b)(7)(A); man whom (b)(6); (b)(7)(A); believed was the CUNY Law Chief Diversity Officer come into the CUNY Law library. The man picked up a copy of the New York Crimes flyer and folded it up. (b)(6); (b)(7)(A); was alarmed that the administrator and the man were collecting the flyers that he and (b)(6); (b)(7)(A); had posted, so (b)(6); (b)(7)(A); left the study room to see if they were picking up other copies located elsewhere. He saw them walking through the library and realized that all the copies of the flyers that he and (b)(6); (b)(7)(A); had placed had been removed. The administrator and the man had not removed any other flyers that other students had posted—only the "New York Crimes" flyers.

(b)(6); (b)(7)(A); continued to follow the administrator and the man to different floors of the CUNY Law building and saw that many other copies of the "New York Crimes" flyers had been taken down on those floors, too, in spaces where students usually sit. These are high-traffic areas that had many other flyers posted from different student groups, such as information about a Halloween event of LALSA (the Latin American Law Students Association). None of the LALSA flyers were removed by the administrator or the man, even though the LALSA event had already occurred.

The focus of the administrator and the man seemed to be only the removal of the “New York Crimes” flyers.

On the third floor of the CUNY Law building, (b)(6); (b)(7)(V) heard the sound of paper ripping and, immediately after, saw the same man as before, standing by the recycling bin. When (b)(6); (b)(7)(A) went to see what was in the bin, it was a ripped-up copy of the “New York Crimes” flyer that (b)(6); (b)(7)(A) and (b)(6); (b)(7)(A) had put on the table where the man had been standing. A photo of this flyer in the recycling bin is at Exhibit E of this complaint. (b)(6); (b)(7)(V) noticed that the administrator and the man did not pick up “New York Crimes” flyers that were placed in areas where other students were sitting on the third floor.

#### 4. The resultant harms to students

The targeted removal of flyers supporting Palestinian lives and liberation has contributed to an ongoing pattern and practice of discrimination by CUNY Law against students who hold, are perceived to hold, or are associated or affiliated with Palestinian identity. The CUNY Law administration’s hostility to these students’ commitment to supporting Palestinian identity, life, and freedom leaves the students bewildered and anxious, driven to continue pressing their rights to free expression, and exhausted from being continually made to overcome repressive responses from the law school—all in ways that leave these students feeling taxed, distracted, and hypervigilant on campus, in ways that detract from their focus on their studies and their classes.

(b)(6); (b)(7)(V) a member of SJP, expressed, “So many of us at CUNY Law are deeply disturbed by the genocide that we are witnessing in Gaza. Expressing our solidarity and educating our community by posting flyers is one of the bare minimum actions we can take, but it is distracting and anxiety-inducing to be on the lookout for whether our flyers are being removed. Instead of focusing on my schoolwork when I am at school, I find myself constantly worrying about why these flyers are being taken down and worried that I will be penalized if I am seen posting them.”

(b)(6); (b)(7)(A) a (b)(6); (b)(7)(V) student, believes that the CUNY Law administration has been emboldened by anti-Palestinian, Islamophobic rhetoric in order to frighten students into silence: “I continuously watched them rip up and throw out flyers calling for an end to the genocide of Palestinian people. It is impossible for me to believe that these people have anyone’s interest but their own in mind. The nature

of their selective enforcement is inherently discriminatory: it upsets me and stresses me out in ways that make focusing on school very difficult.”

### **III. *Prima Facie* Violations of Title VI by CUNY Law that Warrant Investigation by OCR**

A university recipient of federal funding like CUNY Law can be liable for national-origin discrimination against students under Title VI in one of two ways: if it directly discriminates against students or if it permits third-party harassment of students that is based on the actual, perceived, or associated national origin of the students and is “sufficiently severe, pervasive, or persistent” to impact the students’ access to educational programs, benefits and services that the campus provides. A university recipient that has actual or constructive knowledge of a hostile environment must take prompt and effective steps that are reasonably calculated to end the harassment, eliminate the hostile environment, prevent its recurrence, and remedy its effects, by ensuring that students are not restricted from participating in or benefiting from educational opportunities as result of a hostile environment. A university that responds with deliberate indifference or fails to take appropriate responsive action to a known hostile environment violates Title VI and risks losing federal financial assistance.

The facts alleged in this complaint make out a *prima facie* pattern and practice of direct anti-Palestinian discrimination by the law school and willful failure to prevent severe third-party harassment that has contributed to a learning environment hostile for students who hold, are perceived to hold, or who are associated or affiliated with Palestinian identity. Palestinian students and those associated with Palestinian identity through their membership in SJP and/or through their speech and activism on campus have not been afforded equal access to the programs, benefits, and services of the law school and have been singled out for repression and surveillance for supporting the lives and liberation of the Palestinian people, who are desperately struggling to survive overwhelming state violence, including genocide and famine.

### **IV. Remedies Requested**

We urge OCR to conduct an investigation, and, after making appropriate findings, require CUNY Law to eliminate its discriminatory policies and practices and hostile environment against students who hold, are perceived to hold, or are associated or affiliated with Palestinian identity—including members of the SJP

and students who have otherwise been visible and/or vocal on campus in their support of Palestinian lives and liberation.

The students whose interests this complaint asserts do not accept as a remedy for the harm they have suffered (1) the creation or application of on-campus disciplinary procedures, (2) the application or creation of policies limiting or reducing on-campus speech, and/or (3) any expanded or increased presence of public-safety or police officers in and around CUNY Law. Moreover, they urge commitment by the campus administration to engage regularly and meaningfully with its Anti-Racism Task Force and to ensure the Task Force get and maintain the resources that it needs so that, among other things, it can propose anti-doxing policies for the law school.

In order to undertake meaningful repair and avoid further harm, the students whose interests this complaint asserts ask that CUNY Law (1) publicly denounce the New York State executive order that forbids state agencies like CUNY from participating in BDS and (2) publicly announce support of BDS and the desire and intention to divest from all companies that enable or profit from Israeli state violence against Palestinians—especially weapons manufacturers such as Boeing, General Electric, Lockheed Martin, Northrop Grumman, and Raytheon. The students whose interests this complaint asserts further ask that CUNY Law publicly announce support for the principles of academic boycott within BDS, given the documented complicity of Israeli universities in the oppression of Palestinians. And the students further urge CUNY Law to issue policies governing on-campus speech and harassment that delineate between criticism of political ideology and/or the policies and practices of a government, on the one hand, and national-origin discrimination, on the other.

Respectfully,

/s/ Golnaz Fakhimi

Golnaz Fakhimi

Reem Subei

MUSLIM ADVOCATES

1032 15th Street NW #362

Washington, DC 20005

Tel: (202) 655-2969

[golnaz@muslimadvocates.org](mailto:golnaz@muslimadvocates.org)

[reem@muslimadvocates.org](mailto:reem@muslimadvocates.org)

# EXHIBIT A

**Subject:** DIE-IN NOW FOR GAZA CEASEFIRE, 2nd FLOOR - COME BEAR WITNESS

**Date:** Wednesday, October 25, 2023 at 5:49:39 PM Eastern Daylight Time

**From:** cunylawpalestine

**To:** [REDACTED]

\*\*\*ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.\*\*\*

Dear CUNY Law Community,

Right now—at 5:45 pm on Wed 10/25—dozens of CUNY Law students are engaging in a die-in on the second floor cafe area of the law school. Our actions are a part of today's [national student walkout](#) demanding an immediate ceasefire, and an end to the U.S.-backed blockade on Gaza and U.S.military funding and arms to Israel. **We are also demanding an open forum at CUNY Law.**

Today's die-in will last for six minutes in honor of the more than [6,546 Palestinians killed](#) as of today—one minute for every 1,000 lives stolen.

**Please come to the second floor to bear witness to our collective action and show your solidarity for the Palestinian people undergoing genocide at this very moment.** We are calling for witnesses to ALSO protect us from the possibility of police violence as cops have been in our school since last week's peaceful protest.

Last week, hundreds of the CUNY Law community gathered to support the demands for a condemnation of genocide, to protect student and staff advocacy for Palestine, to stop trying to silence us by taking away student speakers, and to respect the school's BDS resolution. We delivered the demands via email to Dean Setty and even spoke to her directly to ask for a response.

Unfortunately, we have been met with only silence and repression. **We asked the CUNY Law administration to protect student advocacy. Instead, they responded with policing, surveillance, and repression that puts the entire CUNY Law community at risk.** Since October 18, when visible student advocacy around the genocide began, police have been stationed inside and outside the school—including undercover officers on at least the second floor. If the police presence is at the orders of CUNY Chancellor Felix V. Matos Rodriguez, per his email this afternoon, we condemn the fear-mongering, Islamophobia, and racism inherent in this action. Inviting police into our school is doubly shameful for a school that advertises based on our student body diversity, social justice, and racial justice values.

As we wait for a response from the CUNY Law administration, at least 2,000 additional Palestinian lives have been stolen by the Israeli-apartheid regime—paid for by our tax-dollars.

While we truly hope that Dean Setty will join us, we cannot wait to act. In the spirit of CUNY Law's purported mission—"law in the service of human needs"—**we call on the Student Government to hold an open forum next week, per the Student Government Constitution, for the CUNY Law community to discuss:**

- Our role in the face of ongoing genocide and calls for ceasefire as a social justice-mission law school, students, and faculty;
- The impact of bringing police into our school on the entire CUNY Law community, especially Black students and faculty and community members of color;
- How instead of our right to advocate being protected, it is being met with policing and surveillance by the administration;
- The attempt to silence student expression by removing our student commencement speaker;
- Our articulated demands and other issues of concern to the CUNY Law community.

Our principles and values only matter if we use them and stand up for them when they're tested. If we sit idly by when our principles are questioned, then do we have them?

In solidarity and mourning,  
Students Against Genocide

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#### **More about die-ins:**

A die-in is a form of protest where participants simulate the dead to call attention to injustice. Our die-in today illustrates only a fraction of the death toll in Occupied Palestine today. Die-ins

Re: Invitation to Open Community Forum

Deans Office <deansoffice@law.cuny.edu>

Thu 11/2/2023 4:10 PM

To: [REDACTED] >  
[REDACTED] law.cuny.edu> (b)(6); (b)(7)(A); (b)(7)(C) [REDACTED]

Good afternoon [REDACTED]

Thank you for your email and for inviting Dean Setty to participate in your community forum. Unfortunately, she will be unable to attend due to conflicting meetings.

Best,

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

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**From:** [REDACTED]

**Date:** Wednesday, November 1, 2023 at 12:48 PM

**To:** Deans Office <deansoffice@law.cuny.edu>

**Cc:** Sudha Setty <Sudha.Setty@law.cuny.edu> (b)(6); (b)(7)(A); (b)(7)(C)

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

**Subject:** Invitation to Open Community Forum

Hello Dean Setty,

Student Government would like to invite you to attend an Open Community Forum on Wednesday, November 8th, from 4:30 - 6:00 PM.

Best,

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

## IT'S CLEAR: The CUNY Law community is against genocide

From cunylawpalestine@proton.me <cunylawpalestine@proton.me>

BCC

A horizontal bar chart illustrating the percentage of respondents who have heard of various terms. The y-axis lists the terms, and the x-axis represents the percentage from 0% to 100%. The bars are black and are set against a white background.

Term	Percentage
Healthcare	98
Medical	95
Health	92
Medicine	88
Healthcare system	85
Medical system	82
Healthcare reform	78
Medical reform	75
Healthcare insurance	72
Medical insurance	68
Healthcare technology	65
Medical technology	62
Healthcare policy	58
Medical policy	55
Healthcare access	52
Medical access	48
Healthcare equity	45
Medical equity	42
Healthcare disparities	38
Medical disparities	35
Healthcare quality	32
Medical quality	28
Healthcare cost	25
Medical cost	22
Healthcare resources	20
Medical resources	18
Healthcare delivery	15
Medical delivery	12
Healthcare innovation	10
Medical innovation	8
Healthcare innovation	5
Medical innovation	3
Healthcare innovation	1
Medical innovation	0

, dean@law.cuny.edu, deansoffice@law.cuny.edu

Date Thursday, November 16th, 2023 at 4:36 PM

Dear CUNY Law Community,

On 10/25, 30+ students died-in at Coffee with the Dean as part of a national student day of action. We demanded, among other things, an open forum at CUNY Law to discuss the ongoing genocide of Gaza and the repression, silencing, and literal policing of student activism. Student Government hosted the open forum last Wednesday, 11/8. **Over 120 students, faculty and staff attended. Our dean was regrettably and noticeably absent.**

26 community members spoke. They called out the school's complacency in the ongoing genocide in occupied Palestine and the administration's silence and inaction when asked to protect their students. They shared their dismay at the repression of student advocacy, against the backdrop of the dangerous and

unnecessary police presence on campus—even as CUNY Law advertises on the basis of student activism. Student representatives from OUTLaws, ALSA, SJP, MLSA, CUNY NLG, EJC, FILSAA, CCULP, and IALSA condemned the silence and inaction of the CUNY Law administration, drew connections between struggles, and shared the hope found in struggling alongside each other. Our Palestinian classmates expressed how moved they are at their classmates' solidarity, how dismayed they are at the administration's silence, and how continuously heartbreaking it is to be constantly demonized for advocating for their people's liberation.

**The forum made abundantly clear that the CUNY Law community stands firmly, even in the face of intense repression, for the collective liberation of all. That includes our Palestinian colleagues and classmates, and the Palestinian people across occupied Palestine. The heart of CUNY Law, rooted in a radical history of social justice lawyering and working class struggle, is consistently upheld by the voices of our students and faculty even as the administration falters.**

Despite efforts to repress and censor student voices at CUNY Law and across the nation, CUNY Law students refuse to be intimidated. Collectively, in the last 40 days:

- On 10/10, the Jewish Law Students Association (JLSA) at CUNY Law released a statement in support of Palestinian liberation.
- On 10/13, 20+ CUNY Law faculty members called out the CUNY Chancellor's erasure of Palestinians and his deliberate mischaracterization of expressions of solidarity with the Palestinian people.
- On 10/17, 100+ CUNY staff and faculty penned a letter rejecting the Palestine exception to free speech at CUNY.
- On 10/19, 200+ community members protested the hateful statement made by the CUNY Chancellor, hand delivered student demands to Dean Setty, and dropped a banner demanding action from our administration and protection of student advocacy.
- On 10/25, 30+ students held a die-in as part of a national student day of action.
- On 11/2, a doxing truck showed up to campus and the administration refused to even condemn its presence. 50+ students self-organized in beautiful and creative ways to protect our community against blatant intimidation of advocacy for Palestinian liberation.
- On 11/9, 100+ CUNY Law students walked out in response to the national call to #ShutItDown4Palestine and joined thousands of fellow students, teachers, and NYers protesting at Bryant Park.
- On 11/15, 200+ community members protested outside the school in condemnation of the administration's cowardly and Islamophobic cancellation of a MLSA event about the school's complicity in the genocide of Gaza.
- On 11/16, CUNY Law alumni initiated a call to action responding to the administration's repression of student activism and organizing.

These actions should serve as a source of fuel and inspiration. There is power and protection in collective action. When faced with threats, doxing, fear mongering, and institutional pressure to stay silent, one thing has remained consistent. **We as a community, like many in Palestine today, come together to protect each other.** Similarly, as we study, commute, and walk on stolen land here in New York and at CUNY Law, we must remember that “[e]verything in this world can be robbed and stolen, except one thing; this one thing is the love that emanates from a human being towards a solid commitment to a conviction or cause.” - Ghassan Kanafani

Our community is sustained by continued collective action in solidarity with Palestine. It is these actions that represent CUNY Law, not the silence of our administration.

We call on all CUNY Law students who believe in liberation and freedom to take action. We call on the people of CUNY Law—students, alum, and faculty—to speak. Move forward with courage, embodying the revolutionary principles CUNY Law was founded upon. Call for a ceasefire. Demand student advocacy be protected, not repressed. Respect the school's existing BDS resolution. Organize. Drop banners, educate your peers, and protest.

And TOMORROW, Friday, 11/17 at 5pm, you can meet us and thousands of others on the steps of the New York Public Library as we join another Shut It Down for Palestine action. More information can be found here.

In solidarity and mourning,  
CUNY Law Community Against Genocide

On Wednesday, October 25th, 2023 at 5:49 PM, cunylawpalestine <cunylawpalestine@proton.me> wrote:

Dear CUNY Law Community,

Right now—at 5:45 pm on Wed 10/25—dozens of CUNY Law students are engaging in a die-in on the second floor cafe area of the law school. Our actions are a part of today's national student walkout demanding an immediate ceasefire, and an end to the U.S.-backed blockade on Gaza and U.S.military funding and arms to Israel. **We are also demanding an open forum at CUNY Law.**

Today's die-in will last for six minutes in honor of the more than 6,546 Palestinians killed as of today—one minute for every 1,000 lives stolen.

**Please come to the second floor to bear witness to our collective action and show your solidarity for the Palestinian people undergoing genocide at this very moment. We are calling for witnesses to ALSO protect us from the possibility of police violence as cops have been in our school since last week's peaceful protest.**

Last week, hundreds of the CUNY Law community gathered to support the demands for a condemnation of genocide, to protect student and staff advocacy for Palestine, to stop trying to silence us by taking away student speakers, and to respect the school's BDS resolution. We delivered the demands via email to Dean Setty and even spoke to her directly to ask for a response.

Unfortunately, we have been met with only silence and repression. **We asked the CUNY Law administration to protect student advocacy. Instead, they responded with policing, surveillance, and repression that puts the entire CUNY Law community at risk.** Since October 18, when visible student advocacy around the genocide began, police have been stationed inside and outside the school—including undercover officers on at least the second floor. If the police presence is at the orders of CUNY Chancellor

Felix V. Matos Rodriguez, per his email this afternoon, we condemn the fear-mongering, Islamophobia, and racism inherent in this action. Inviting police into our school is doubly shameful for a school that advertises based on our student body diversity, social justice, and racial justice values.

As we wait for a response from the CUNY Law administration, at least 2,000 additional Palestinian lives have been stolen by the Israeli-apartheid regime—paid for by our tax-dollars.

While we truly hope that Dean Setty will join us, we cannot wait to act. In the spirit of CUNY Law's purported mission—"law in the service of human needs"—**we call on the Student Government to hold an open forum next week, per the Student Government Constitution, for the CUNY Law community to discuss:**

- Our role in the face of ongoing genocide and calls for ceasefire as a social justice-mission law school, students, and faculty;
- The impact of bringing police into our school on the entire CUNY Law community, especially Black students and faculty and community members of color;
- How instead of our right to advocate being protected, it is being met with policing and surveillance by the administration;
- The attempt to silence student expression by removing our student commencement speaker;
- Our articulated demands and other issues of concern to the CUNY Law community.

Our principles and values only matter if we use them and stand up for them when they're tested. If we sit idly by when our principles are questioned, then do we have them?

In solidarity and mourning,  
Students Against Genocide

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#### More about die-ins:

A die-in is a form of protest where participants simulate the dead to call attention to injustice. Our die-in today illustrates only a fraction of the death toll in Occupied Palestine today. Die-ins have a long tradition of being used in anti-war protests, to advocate for animal and human rights, to end racism, promote gun control, protect abortion, and so on. Examples include:

- **October 19, 2023:** Hundreds of students at Harvard, staged a die-in to demand an end to the siege on Gaza.
- **June 2, 2020:** Hundreds of people around the country participated in a die-in for 8 minutes and 46 seconds in protest of police brutality after the police murder of George Floyd.
- **September 15, 2007:** Several thousand participated in a die-in on the U.S. Capitol lawn in Washington D.C. to protest the Iraq War.

## The Semester Ends But Our Fight Continues

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From cunylawpalestine@proton.me <cunylawpalestine@proton.me>

To cunylawpalestine@proton.me

BCC



Date Wednesday, November 29th, 2023 at 7:59 PM

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### **Current Death Toll: 15,242**

Now that our semester is over, we should collectively check in about the war on Gaza. The extension of the "pause" on Israel's bombing of Gaza is a victory to celebrate. After almost two months of continued Palestinian resistance to an unrelenting genocide and consistent international displays of solidarity, Israel and the U.S. agreed to a deal offered to them weeks before—before Israel stole over 15,000 Palestinian lives, bombed hospitals, schools, and shelters, and destroyed nearly all of Gaza's life-supporting infrastructure. The deal should release 150 Palestinian political prisoners, including many children held hostage by the Israeli military.

This "pause" makes two truths unavoidable: 1) The U.S. could demand a ceasefire whenever it wants, and 2) public pressure works.

**Shamefully, the CUNY Law administration is still on the wrong side. They refuse to call for a ceasefire. Instead, they opt to be complicit in genocide through silence and continued repression of student organizing for Palestinian life and liberation.**

**Our administration's silence implicitly sanctions institutional and interpersonal attacks on students nationwide.** Three Palestinian students were shot and seriously injured in Vermont while wearing their keffiyehs and speaking Arabic. An Arab student at Stanford University was seriously injured in a hit-and-run where the driver screamed "fuck you and your people." All the while, CUNY Law students are doxxed—again. This administration refuses to do the bare minimum in condemning attacks on students and even refraining from repressing organizing themselves. The administration ignores the call to "affirm that advocacy for Palestinian rights, as well as concern for and celebration of Palestinian lives, is squarely within the sphere of legitimate discourse."

This semester may be over, but genocide continues, and so does our fight—first, until a permanent ceasefire is declared and then until Palestine is free. Keep hitting the streets over break. We will continue to demand that CUNY Law call for a ceasefire, respect our BDS resolution, and protect our advocacy for Palestinian life and liberation. We will continue to organize to ensure the CUNY system divest from death.

**Unlike the law school administration and CUNY Chancellor, we do not cower under fundamentally racist and capitalist pressures to stay silent over the loss of human life for the sake of job security. We will not stop until everyone's chains are broken. Now more than ever.**

Forever in collective solidarity,

Students Against Genocide

TO:

Félix V. Matos Rodríguez, *Chancellor of the City University of New York (CUNY)*  
Derek Davis, *Senior Vice Chancellor for Legal Affairs and General Counsel of CUNY*  
Sudha Setty, *Dean at CUNY School of Law*  
Taejong Kim, *Executive Counsel and Labor Designee at CUNY School of Law*

We, the undersigned CUNY Law students and faculty, demand the immediate and permanent reinstatement of student speakers at the CUNY Law commencement ceremony.

Graduation is a significant milestone to CUNY Law graduates, many of whom are first generation lawyers and college students. It is a special time for families and friends to celebrate together and share their graduates' achievements. It is a communal celebration for loved ones to share in the joy and pride of their graduate's accomplishment. We demand to have a commencement ceremony that reflects our community and amplifies student voices, and where our faculty, families, and loved ones hear directly from our elected student commencement speakers.

Punishing CUNY Law students for past student speakers' and current students' vocal support for Palestinian life and liberation by attempting to silence our expression is a reprehensible choice and unlawful act under the First Amendment. CUNY Central's decision to remove our student speakers is consistent with a well-documented, unconstitutional pattern of repressing speech in support of Palestinian life and liberation.

Our stories, and the stories of our classmates will not be silenced: the stories of those displaced from their ancestral lands, separated from their families and communities by colonial borders, targeted and criminalized by law enforcement, prohibited to love freely, forced to cross international borders or free themselves from behind bars. These stories are the ones that empower us to make this world a better one, urging us to honor those who spoke before us and will need to speak after us. It is within this tradition that we demand our class be able to tell our stories in communion with our peers at commencement.

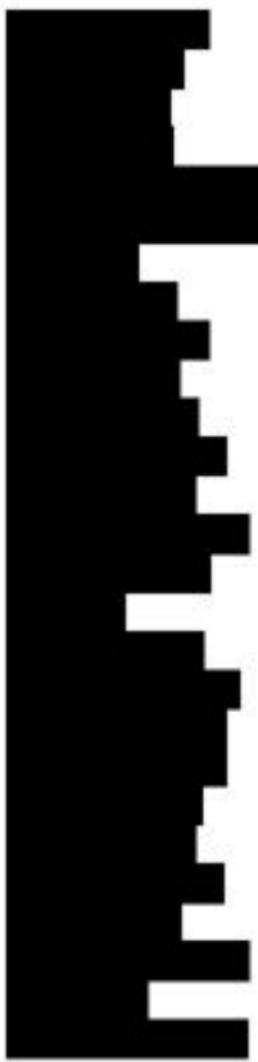
CUNY Law students will not be silenced. We demand that CUNY Central immediately end all attempts to suppress our political speech and reinstate immediately and permanently the policy of allowing CUNY Law student commencement speakers.

Signed,

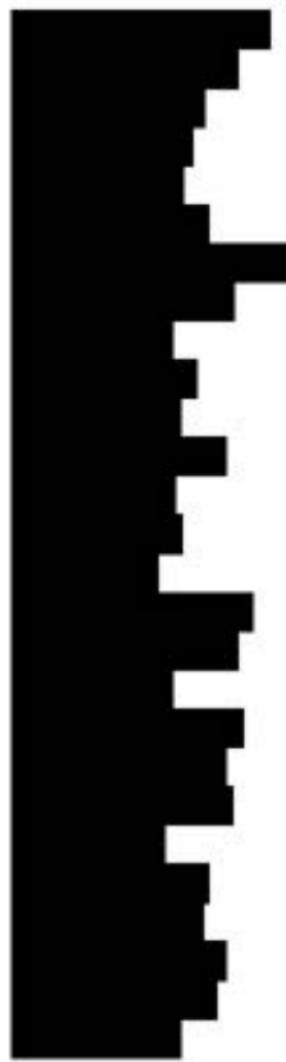
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(b)(7)(C)

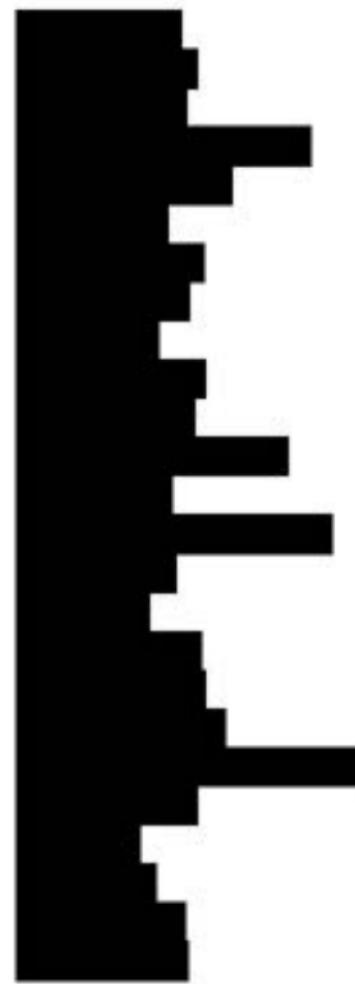
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(b)(7)(A);  
(b)(7)(C)



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



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

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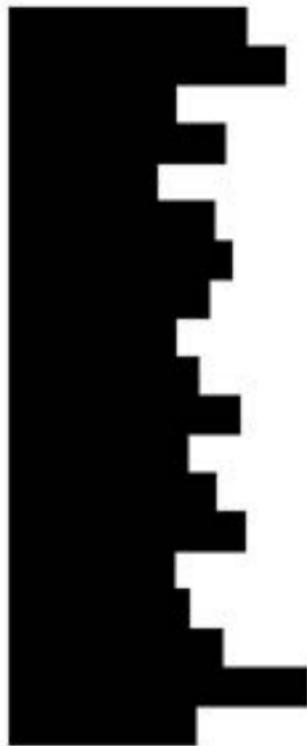
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(b)(6); (b)(7)(A);  
(b)(7)(C)

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## EXHIBIT B

## Grappling with the Attacks on Israel

Chancellor Matos Rodríguez <ChancellorCommunications@cuny.edu>

Wed 10/11/2023 3:55 PM

To:Nusayba Hammad <nusayba.hammad@live.law.cuny.edu>



### OFFICE OF THE CHANCELLOR

Dear CUNY community,

Over the past several days, we have struggled to grasp the enormity of the attacks on Israel by Hamas and the atrocities they have committed against civilians: The indiscriminate slaughter of hundreds of young people at a music festival. The murders of families in their homes. The brutal capture of more than 100 hostages, including children, whose families now wait in anguish.

These are acts of terrorism, and they must be unequivocally condemned.

Our hearts go out to the victims of this vicious attack and to their loved ones. We are also mindful of those in the CUNY community who fear for the safety and wellbeing of relatives, friends and colleagues in the region. As I said in two statements over the weekend, the University is working to maintain a climate of civility, promote constructive conversation and keep CUNY campuses safe.

We are sickened by these atrocities, which serve only to further divide Jews and Muslims all over the world, including on our campuses. We decry those who justify — and even celebrate — acts of terrorism as a means of furthering a political struggle.

And we wholeheartedly reject the participation of organizations affiliated with CUNY in demonstrations that glorify Saturday's violence and celebrate the killings, injuries and capture of innocent people. We respect their right to free speech but condemn their support of these crimes against humanity. We want to be clear that students or anyone from CUNY who chooses to organize or attend these events are in no way speaking for or representing our University or its 25 campuses.

There will be difficult months and years ahead in Israel and the Middle East, and the reverberations will continue to be felt on our campuses and in our city. CUNY respects the right to criticize and oppose the policies of any government but we urge all in the CUNY community who have a personal stake in the conflict, or strong sympathies with either side, to express their opinions and air their differences with respect for those with opposing views.

War brings loss, suffering and grief, and our campuses have in place counseling and related supports, like academic accommodations, for all members of our community. Please check with your campus about the support services that are available.

I believe very strongly that part of the job of higher education — especially at a great public university like ours with all its diversity — is to provide students with the knowledge and tools to navigate the complexities of today's world. Ongoing global conflicts challenge all of us to embrace the ideals of education as an antidote to vitriol and violence and a path to justice and peace.

Sincerely,

Félix V. Matos Rodríguez, Ph.D.  
Chancellor

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



## EXHIBIT C

**From:** [REDACTED]  
**Date:** Thursday, November 2, 2023 at 12:34 AM  
**To:** Student-Run Email Group [REDACTED]  
**Subject:** Heads Up: Doxxing Truck Likely To Appear On Campus Tomorrow, 11/02/2023

Hi all,

The following letter, co-signed by a number of student groups, just went out to the Dean and the campus safety director. Please take note of this, particularly if you are on campus tomorrow, Thursday, November 2 – I guess that's technically later today!

Dear Dean Setty and Mr. Katz,

We have been alerted by a credible source that Adam Guillette – a far-right provocateur who has deployed a legion of "doxxing trucks" to campuses including [Harvard](#), [Columbia](#) and the [University of Pennsylvania](#) – is planning to bring his act to CUNY Law sometime tomorrow, Thursday, November 2.

Guillette is behind a campaign of intimidation that has endangered scores of students. The names and faces of students are plastered across the giant LED screens which cover 3 sides of his trucks, accompanied by defamatory captions.

As part of this disturbing pattern of behavior, Guillette even parked his "doxxing trucks" outside the homes of several Harvard students. An article in the Post [reads](#), "after idling in front of the Boston-area home of a 20-year-old female Harvard student on Wednesday, a similar truck parked outside a Harvard student's residence in Vermont, near Burlington, on Thursday."

These "doxxing trucks" [harm students' reputations, threaten their personal safety and attack their right to freedom of expression](#). Therefore, we urge the administration to make an immediate public statement condemning Mr. Guillette's actions and all other efforts to harass and intimidate students.

We also implore the administration to learn from its past mistakes, particularly its passivity in addressing coordinated harassment campaigns unleashed upon students by politicians, online trolls and tabloid media. Indeed, the administration repeatedly failed to speak out against the countless violent and racist attacks leveled against our classmates Nerdeen and Fatima, who courageously devoted much of their respective commencement addresses to elevating the righteous cause of Palestinian liberation.

In recent weeks, the CUNY Law community has come together in great numbers to demand an end to the horrors being inflicted upon the Palestinian people. At this critical time, the administration should be stepping up to support students and protecting their advocacy for Palestinian life.

Whether or not the administration agrees with the positions of student-organizers exercising their First Amendment rights, however, should not influence the willingness of the former to act in support of the latter – particularly when it comes to matters of privacy and personal safety.

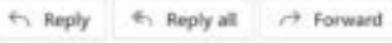
Signed,

Jewish Law Students Association at CUNY Law  
CUNY Law OUTLaws  
Indigenous Americans and the Law Student Advocates at CUNY Law  
National Lawyers Guild at CUNY Law  
CUNY Labor Coalition  
CUNY Muslim Law Students Association  
CUNY Students for Justice in Palestine

To: Student-Run Email Group

Hi all,

The doxxing truck is now outside the law school. Its operators are by the school's entrance, filming people as they exit and attempting to speak with them – please take precautions including masking to protect your privacy!

 Thu 11/2/2023 2:49 PM

## EXHIBIT D

**RE: MLSA panel event on friday, november 10**

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

Thu 11/2/2023 2:06 PM

To: [REDACTED]

Cc: [REDACTED]

Good afternoon [REDACTED],

It was my pleasure meeting you and [REDACTED] yesterday. Please move forward with the promotion of this event. Please remember to provide me with the information for your food order by Monday, November 6<sup>th</sup> and the RSVP for security by Wednesday, November 8<sup>th</sup>. I will request a check-in table for the day of the event. Someone from your club will be required to manage the table.

I spoke with Amanda about the Conference in Chicago. She stated that she wouldn't mind a quick meeting to answer all your questions. If your schedule does not permit for another meeting, you can respond with the questions and I will sure to forward them to her and get back to you. Please let me know your preference.

Thank you,

(b)(6);  
(b)(7)(A);**From:** [REDACTED]**Sent:** Thursday, November 2, 2023 1:34 PM**To:** [REDACTED]; (b)(6); (b)(7)(A); (b)(7)(C)**Cc:** [REDACTED]**Subject:** MLSA panel event on friday, november 10Hello [REDACTED];  
(b)(6);  
(b)(7)(A);

It was lovely meeting you yesterday to go over the material from the student org training that we missed and to further discuss the details of our panel event on November 10. Just confirming that we will have 3 CUNY affiliated speakers: [REDACTED]; (b)(6); (b)(7)(A); (b)(7)(C)

[REDACTED]; (b)(6); (b)(7)(A); (b)(7)(C) We will start advertising this event starting tomorrow and hopefully will get back to you about food by Monday.

Warmly,

[REDACTED]

**URGENT MLSA Event Postponing!!!**[REDACTED]  
Tue 11/7/2023 7:00 PM

To:Events &lt;Events@law.cuny.edu&gt; (b)(6); (b)(7)(A); (b)(7)(C)

Cc: [REDACTED]

Good evening,

Hope all is well. Unfortunately, our speakers had a last minute obligation for Friday and so we have to postpone the event we planned to host in the auditorium on Friday, November 10th.

(b)(6); [REDACTED] is it possible to reserve the auditorium and adjacent room 2/119 to reschedule the event for Monday, November 13th, from 5pm to 9pm?

(b)(6); [REDACTED] if (b)(6); [REDACTED] says we can reschedule to reserve the auditorium for Monday, can we we reschedule the catering for then? If not, then can we cancel the catering order so we can figure out a new date for our event?

Thank you so much for your help with everything, and hopefully we can figure out a way to reschedule this event.

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Monday, November 6, 2023 1:51:46 PM  
**To:** Events <Events@law.cuny.edu>  
**Cc:** (b)(6); (b)(7)(A); (b)(7)(C)  
**Subject:** Re: Room Reservation Confirmation

Good afternoon,

Yes please if possible! Thank you so much!

[REDACTED]

---

**From:** Events <Events@law.cuny.edu>  
**Sent:** Monday, November 6, 2023 1:50:45 PM  
**To:** [REDACTED]  
**Cc:** (b)(6); (b)(7)(A); (b)(7)(C)  
**Subject:** Re: Room Reservation Confirmation

and the tables moved to the side in 2/119 right???

Events Department  
CUNY School of Law  
[events@law.cuny.edu](mailto:events@law.cuny.edu)  
718-340-4463  
718-340-4167

[REDACTED] wrote:

Good afternoon,

We will be doing a speaker panel on stage.

We would need 5 chairs alongside with mics set up.

We sent (b)(6); (b)(7)(A) our food order. I believe we'll need 4 hot plates set up on the table by the doors of the auditorium.

We currently have 64 RSVPs. We estimate to have around 80 people attending this event.

Thank you so much for the help and please let me know if you need any additional information.

---

[REDACTED]  
[REDACTED]

**From:** Events <[Events@law.cuny.edu](mailto:Events@law.cuny.edu)>

**Sen**

**To:** [REDACTED]

**Cc:** (b)(6); (b)(7)(A); (b)(7)(C)

**Subject:** Re: Room Reservation Confirmation

What do you need set up on the stage etc?

is there any food coming?

How many people will it be?

Events Department  
CUNY School of Law  
[events@law.cuny.edu](mailto:events@law.cuny.edu)  
718-340-4463  
718-340-4167

[REDACTED]  
[REDACTED] wrote:

Good afternoon (b)(6); (b)(7)(A)

Just wanted to follow up on this as well.

We would also like to extend the room reservation for the auditorium and room 2/119 to be 5pm to 9pm on Friday, November 10th, 2023.

Just to allow us ample time to set up and to clean up afterwards.

Best,  
[REDACTED]

---

**From:** Events <[Events@law.cuny.edu](mailto:Events@law.cuny.edu)>

**Sen**

**To:** [REDACTED]

**Cc:** [REDACTED] (b)(6); (b)(7)(A); (b)(7)(C)

**Subject:** Re: Food Quotes

following up on this - I've put the rooms on hold just waiting for approval

Events Department  
CUNY School of Law  
[events@law.cuny.edu](mailto:events@law.cuny.edu)  
718-340-4463  
718-340-4167

On Oct 30, 2023, at 9:22 AM, Events <[Events@law.cuny.edu](mailto:Events@law.cuny.edu)> wrote:

Here's their menu - do not order from Seamless I go thru her directly and we get a small discount along with free delivery!!!

<https://www.seamless.com/menu/3greeks-grill-35-61-vernon-blvd-astoria/325868/catering>

Events Department  
CUNY School of Law  
[events@law.cuny.edu](mailto:events@law.cuny.edu)  
718-340-4463  
718-340-4167

[REDACTED] > wrote:

Good evening,

Understood, I've made contact with [REDACTED] (b)(6); (b)(7)(A);

I also had another question regarding catering. I was just curious from your experience getting catering for the events at school what the prices would be for finger food, like the Greek food the school usually gets for events. We were hoping to cater for roughly 70 people. So if you recall the prices and for how many people it fed we would greatly appreciate it!

[REDACTED]

---

**From:** Events <[Events@law.cuny.edu](mailto:Events@law.cuny.edu)>  
**Sent:** Thursday, October 26, 2023 1:54:47 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED] (b)(6); (b)(7)(A); (b)(7)(C)  
**Subject:** Re: Event Space Request for 11/10

First Step is to fill out the events form:

<https://cunylaw.formstack.com/forms/events>

I've put a tentative hold on the auditorium and Room 2/119. [REDACTED] (b)(6); [REDACTED] approves all student events.

Thanks!

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

Events Department  
CUNY School of Law  
[events@law.cuny.edu](mailto:events@law.cuny.edu)  
718-340-4463  
718-340-4167

2023, at 1:12 PM, [REDACTED]

[REDACTED]  
[REDACTED]  
wrote:

Good afternoon,

MLSA was hoping to host a speaker series event on Friday, November 10th, from 5:30pm to 8:30pm.

We would like to reserve the auditorium and one of the classrooms right next to the auditorium to be used as a prayer room.

We were also going to collaborate with other MLSAs in the NY area and have a registration list set up.

I would love to discuss setting up this event more with you if you're free because I had some additional questions as well.

Best,  
[REDACTED]

## RE: MLSA 11/15 Event

Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>

Wed 11/22/2023 2:22 PM

To: [REDACTED]; Steve Katz  
<[katz@law.cuny.edu](mailto:katz@law.cuny.edu)>

Hi [REDACTED],

The intended purpose was to discuss your questions in regards to the cancellation with Public Safety. In order to prevent future issues, we've received updated guidance from Public Safety as to the timeline they require notification for events. Now that we have that information, [REDACTED] (b)(6); (b)(7)(A); [REDACTED] will be updating the events guidelines and protocols moving forward so that all departments within the Law School are notified within their requested timeline to support student events. She will also be providing an updated training in the Spring to notify groups so they can prepare accordingly for upcoming/future events. I would certainly reach out to her to discuss any next steps should you wish to reschedule the event for this Spring or any other future events once the event guidelines are updated. If you would still like to meet, I'm more than happy to do so or help coordinate with Steve Katz to answer your public safety questions.

Let me know if you have anymore questions. I hope that moving forward these new guidelines will help student organizations have engaging events on or off campus.

Wishing you all a good and restful holiday as we wind down the semester and prepare for finals.

Best,

**Amanda M. Beltran (she/her)**

Interim, Associate Dean of Student Affairs  
Director of Student Affairs  
Student Affairs | CUNY School of Law  
Law in The Service of Human Needs

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

[www.law.cuny.edu](http://www.law.cuny.edu)

2 Court Square, Room 5116, Long Island City, NY  
11101-4356

For students interested in scheduling a 30 minute meeting, you can schedule a time based on my availability at <https://calendly.com/amanda-beltran>.

From: [REDACTED]

Sent: Thursday, November 16, 2023 3:33 PM

Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>; [REDACTED]

Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)>

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

Deans Office <[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)>; [REDACTED]

Subject: Re: MLSA 11/15 Event

Hello Amanda,

The MLSA e-board has some concerns in regards to the meeting. First, we would like to clarify the point of this meeting. Is its sole intended purpose to contextualize and explain the sudden cancellation of the event last night due to the absence of "heightened public safety precaution"? Second, is any attorney for the law school attending this meeting, and, if so, why? We'd appreciate your deferring the scheduling of this meeting pending your answers to these questions.

---

From: Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>

Sent: Wednesday, November 15, 2023 2:27 PM

Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)>

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

Deans Office <[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)>; [REDACTED]

Subject: RE: MLSA 11/15 Event

Hi [REDACTED],

Forgive me. I should have double checked before stating the 3pm time was available for everyone. However, that is no longer the case. We can as I stated meet at 5:30pm or sometime tomorrow considering the event on campus is cancelled. If you have not already alerted your guests, please do so now so that they can plan accordingly. Should you opt to move the event onto zoom they will need those details from you sooner rather than later. However, as stated yesterday and again today, the event on campus is cancelled due to safety concerns. I've been alerted that information is still posted on social media accounts that still advertises the event being on campus. Please correct this.



CUNY SCHOOL OF LAW

**Amanda M. Beltran (she/her)**

Interim, Associate Dean of Student Affairs  
 Director of Student Affairs  
 Student Affairs | CUNY School of Law  
 Law in The Service of Human Needs

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

[www.law.cuny.edu](http://www.law.cuny.edu)2 Court Square, Room 5116, Long Island City, NY  
 11101-4356

For students interested in scheduling a 30 minute meeting, you can schedule a time based on my availability at <https://calendly.com/amanda-beltran>.

From: [REDACTED]

Sent: Wednesday, November 15, 2023 2:04 PM

Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>; [REDACTED]Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)>

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

Deans Office <[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)>; [REDACTED]

Subject: RE: MLSA 11/15 Event

Resending my previous email cause not everyone is cc'd.

Meeting at 5:30pm is extremely unfair considering the time sensitivity. I do not understand how 3pm is possible but 2:30pm isn't. We can meet at 3pm as well.

From: Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>

Sent: Wednesday, November 15, 2023 1:51 PM

Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)>

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

Deans Office <[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)>; [REDACTED]

Subject: RE: MLSA 11/15 Event

Hi all,

Since we are having scheduling challenges, our next availability today is 5:30pm or tomorrow at some point since the event is cancelled on campus.



CUNY SCHOOL OF LAW

**Amanda M. Beltran (she/her)**

Interim, Associate Dean of Student Affairs  
 Director of Student Affairs  
 Student Affairs | CUNY School of Law  
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(b)(6); (b)(7)(A); (b)(7)(C)

[www.law.cuny.edu](http://www.law.cuny.edu)2 Court Square, Room 5116, Long Island City, NY  
 11101-4356

For students interested in scheduling a 30 minute meeting, you can schedule a time based on my availability at <https://calendly.com/amanda-beltran>.

**From:** [REDACTED]  
**Sent:** Wednesday, November 15, 2023 1:45 PM  
**To:** Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>; Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)>  
 (b)(6); (b)(7)(A); (b)(7)(C) [REDACTED] Deans Office <[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)> [REDACTED]

**Subject:** Re: MCSA 11/15 Event

Can we do 2:30pm? I will be on campus by then as other board members are not currently present on campus.

We also would like a zoom meeting set up as we would like a faculty member to join.

**From:** Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>

**Sent:** Wednesday, November 15, 2023 1:29:24 PM

[REDACTED] Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)>

(b)(6); (b)(7)(A); (b)(7)(C) [REDACTED] Deans Office <[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)> [REDACTED]

**Subject:** RE: MCSA 11/15 Event

Hi [REDACTED],

This meeting will be in-person. Not everyone is required to be in attendance. Therefore, those who are already in the building and can attend please meet us in room 3/101 at 2pm. If the original proposed time of 3pm is easier, I can check to see if the same room is available.



**Amanda M. Beltran (she/her)**

Interim, Associate Dean of Student Affairs  
 Director of Student Affairs  
 Student Affairs | CUNY School of Law  
 Law in The Service of Human Needs

(b)(6); (b)(7)(A); (b)(7)(C) [REDACTED]

[www.law.cuny.edu](http://www.law.cuny.edu)

2 Court Square, Room 5116, Long Island City, NY  
 11101-4356

For students interested in scheduling a 30 minute meeting, you can schedule a time based on my availability at <https://calendly.com/amanda-beltran>.

**From:** [REDACTED]  
**Sent:** Wednesday, November 15, 2023 1:24 PM

Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>; [REDACTED] Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)>

(b)(6); (b)(7)(A); (b)(7)(C) [REDACTED] Deans Office <[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)> [REDACTED]

**Subject:** Re: MCSA 11/15 Event

Can we meet on zoom? A lot of us are off campus and cannot commute in time.

**From:** Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>

**Sent:** Wednesday, November 15, 2023 1:19 PM

**To:** [REDACTED] >; Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)>; Deans Office <[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)> [REDACTED]

(b)(6); (b)(7)(A); (b)(7)(C) [REDACTED] (b)(6); (b)(7)(A); (b)(7)(C) [REDACTED]

Hi all,

I've spoken with Steve and we can meet at 2pm in room 1/205. We will see you there soon.



**Amanda M. Beltran (she/her)**  
 Interim, Associate Dean of Student Affairs  
 Director of Student Affairs  
 Student Affairs | CUNY School of Law  
 Law in The Service of Human Needs

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

[www.law.cuny.edu](http://www.law.cuny.edu)

2 Court Square, Room 5116, Long Island City, NY  
 11101-4356

For students interested in scheduling a 30 minute meeting, you can schedule a time based on my availability at <https://calendly.com/amanda-beltran>.

**From:**

**Sent:** Wednesday, November 15, 2023 1:13 PM

**To:** Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>; Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)>

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

Deans Office <[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)>;

**Subject:** Re: MCSA 11/15 Event

Hi Amanda and Steve,

Just want to bump up this request as it is time sensitive. Please let us know how early we can set up a zoom meeting as 3pm is really late.

Best,

**From:**

**Sent:** Wednesday, November 15, 2023 12:12:05 PM

Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>;

**Cc:** Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)> (b)(6); (b)(7)(A); (b)(7)(C)  
 <[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)>;

Deans Office

**Subject:** Re: MCSA 11/15 Event

Hello Amanda,

3pm is really late and we'd like to proceed with the event tonight considering we've followed all of the required procedures in order to host an event on campus. If Steve Katz is available to speak with us anytime sooner, like at 1pm? please let us know.

**From:** Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>

**Sent:** Wednesday, November 15, 2023 11:59 AM

**Cc:** Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)> (b)(6); (b)(7)(A); (b)(7)(C)  
 <[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)>;

Deans Office

**Subject:** Re: MCSA 11/15 Event

Good morning all,

I understand your upset given the existing work conducted by your organization. I've spoken with Steve Katz, our Director of Public Safety, on his availability to meet today to address the questions you posed. If today at 3pm is a good time for you to have a joint meeting, please let me know so I can coordinate. However, should you and Steve Katz be available at an alternate time where I am not, please go ahead and meet with him and we can discuss further separately at a mutually agreeable time.

Best,

Amanda M. Beltran  
Interim, Associate Dean of Student Affairs  
Director of Student Affairs  
CUNY School of Law  
2 Court Square, Room 5-116  
Long Island City, NY 11101-4356  
[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)

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

f:(718) 340-4372

For students interested in scheduling a 30 minute meeting, you can schedule a time based on my availability at <https://calendly.com/amanda-beltran>.

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)

---

**From:** [REDACTED]  
Sent: Tuesday, November 14, 2023 8:28:13 PM  
**To:** [REDACTED] Amanda Beltran  
<[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>  
**Cc:** Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)> [REDACTED] (b)(6); (b)(7)(A); (b)(7)(C)  
<[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)> [REDACTED]  
[REDACTED]  
**Subject:** Re: MCSA 11/15 Event

Hello,

Following up with this as we were given notice to this potential cancellation a night before the event. Please get back to us regarding what these security concerns are, even with our two-step security system we planned to have alongside the security provided on campus.

---

[REDACTED]  
**From:** [REDACTED]  
**Sent:** Tuesday, November 14, 2023 8:49 PM  
**To:** Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>  
**Cc:** Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)> [REDACTED] (b)(6); (b)(7)(A); (b)(7)(C)  
<[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)> [REDACTED]  
[REDACTED]  
**Subject:** Re: MCSA 11/15 Event

Dear Amanda,

The event has been proposed and approved by admin as of November 2nd. In rescheduling the event to tomorrow, we also confirmed that update on Wednesday, November 8th. The event was confirmed by [REDACTED]

(b)(6); [REDACTED] and (b)(6); [REDACTED] along with a request for the RSVP list of attendees by Monday, November 13th. We complied and sent that list over on that date.

A last-minute cancellation will indiscriminately burden our student group and the efforts put into this across other student organizations involved as well. Additionally, where in the CUNY Law policy does it spell out what security is required for events and what consists of "heightened security"? We had a two-step check in system in place, where there would be a check-in table on the first floor with two board members checking ID's and those on the RSVP, list as well as board members stationed outside the auditorium double-checking those RSVP and ID's.

We as a MLSA board have poured so much time into this event over the course of the past 3-4 weeks and we feel a last-minute attempt at cancellation is extremely discriminatory and unwarranted. Admin has had the RSVP list since Monday and event details long before.

Best,

[REDACTED]

---

**From:** Amanda Beltran <[amanda.beltran@law.cuny.edu](mailto:amanda.beltran@law.cuny.edu)>

**Sen** Tuesday, November 14, 2023 7:37 PM

**To:** [REDACTED]

**Cc:** Steve Katz <[katz@law.cuny.edu](mailto:katz@law.cuny.edu)> (b)(6); (b)(7)(A); (b)(7)(C)

Deans Office

<[deansoffice@law.cuny.edu](mailto:deansoffice@law.cuny.edu)>

**Subject:** MLSA 11/15 Event

Dear [REDACTED],

It has come to our attention today that your event scheduled tomorrow in Room 2/301 at 6:00 PM requires a heightened public safety presence. The college has not had sufficient time to implement an appropriate safety plan for this event. Due to this, we must cancel this event for tomorrow. Please alert your audience and speakers.



**Amanda M. Beltran (she/her)**

Interim, Associate Dean of Student Affairs  
Director of Student Affairs  
Student Affairs | CUNY School of Law  
Law in The Service of Human Needs

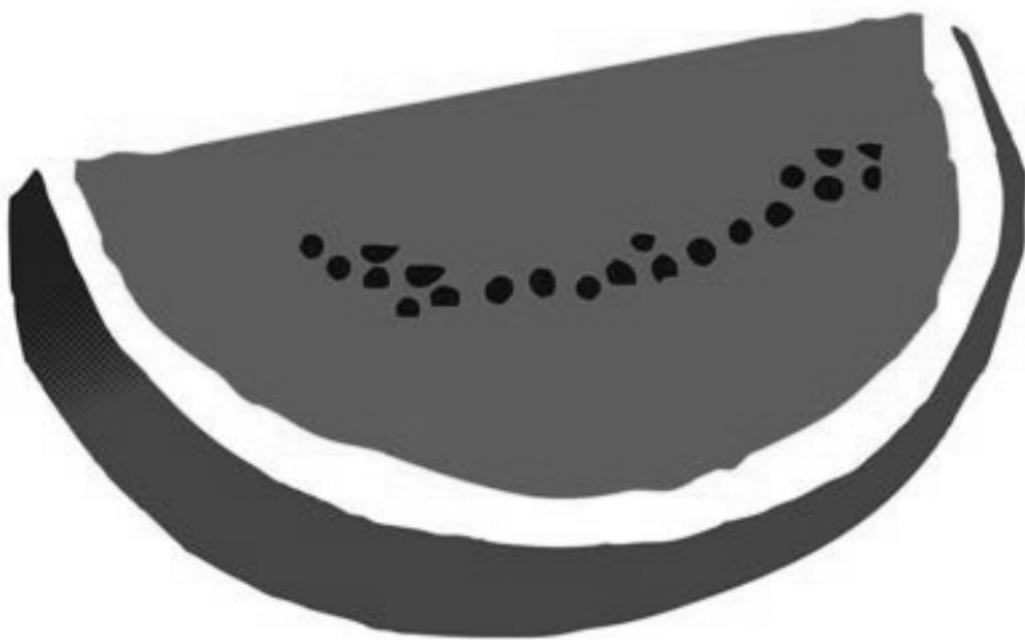
(b)(6); (b)(7)(A); (b)(7)(C)

[www.law.cuny.edu](http://www.law.cuny.edu)

2 Court Square, Room 5116, Long Island City, NY  
11101-4356

## EXHIBIT E

# CONDEMN THE GENOCIDE IN OCCUPIED PALESTINE



"Some people even deny our existence, deny Palestinian culture and identity, so art fights this. It gives a home for the homeless."

—Sliman Mansour  
Palestinian artist

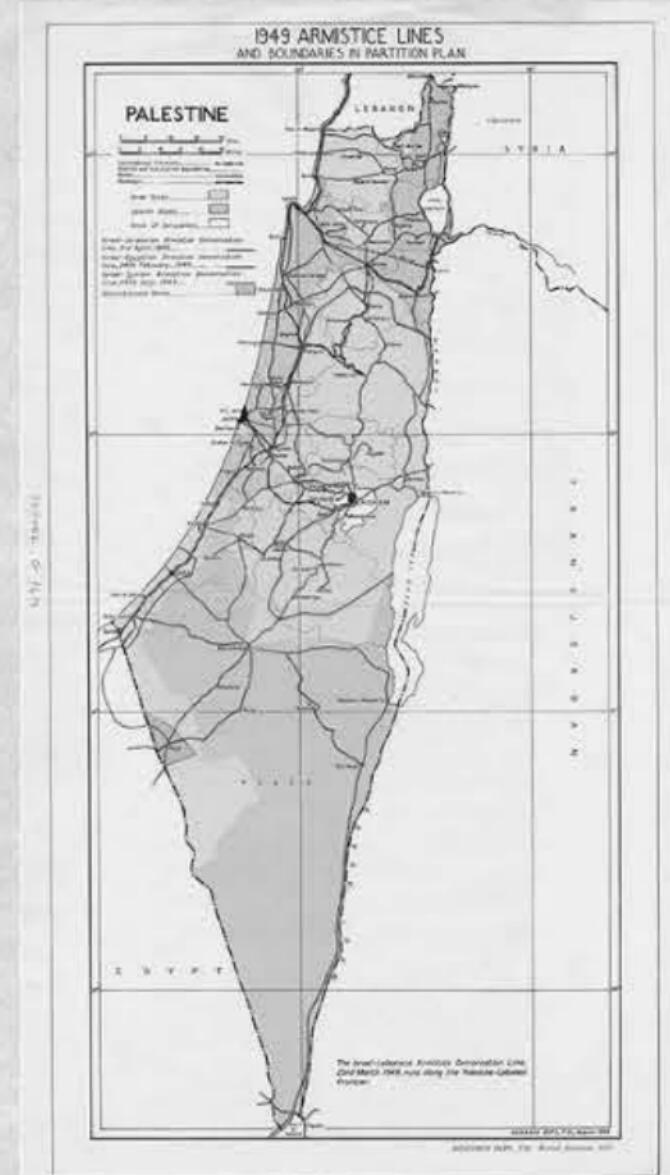


WE DEMAND ACTION  
[bit.ly/cunylawdemands](http://bit.ly/cunylawdemands)

# FREE PALESTINE



PALESTINIANS HAVE  
A RIGHT TO SELF  
DETERMINATION



"Thus it will be seen that the right of self-determination of the Palestinian people, denied for three decades during the Mandate, ignored for two decades in the United Nations, has over almost the last decade received consistent recognition and strong assertion by a preponderant majority of Member States of the United Nations acting principally through the same organ, the General Assembly, which recommended the partition of Palestine over thirty years ago."

UN 1979

## CONDEMN THE GENOCIDE PUBLICALLY

Israel has dropped 6,000 bombs on Gaza in six days. Israel has used white phosphorus on Palestinians in Gaza - a chemical weapon in violation of International Law. White Phosphorus is a chemical that when ignites and exposed to oxygen, it bursts into extremely hot flames that are difficult to put out and produces copious amounts of thick white smoke. It "causes severe burns, often down to the bone, that are slow to heal and likely to develop infections." 50 percent of Gaza are children.

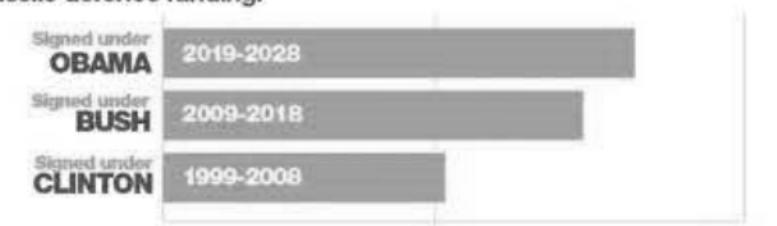
*Human Rights Watch & The Washington Post*

DON'T BE COMPLICIT.

## U.S TAX DOLLARS FUND GENOCIDE & APARTHEID

### US assistance to Israel

**TOTAL AMOUNT OF US MILITARY AID PLEDGED IN MOUs**  
From 1999 onwards, US assistance to Israel has been outlined in 10 year Memorandum of Understanding (MOUs). These do not require Senate approval and do not include the missile defence funding.



**Congressional appropriations vs MOU**  
For Missile Defence Only



SOURCE: CONGRESSIONAL RESEARCH SERVICE | MAY 2017



**BEING PRO-PALESTINE  
AND AGAINST ANTI-  
SEMITISM GO HAND IN  
HAND, BECAUSE ALL  
SYSTEMS OF  
OPPRESSION  
REINFORCE ONE  
ANOTHER, AND NONE  
CAN BE FOUGHT IN  
ISOLATION**

DO NOT BE COMPLICIT - PUBLICALLY CONDEMN THE GENOCIDE CUNY

# **DEAN SETTY:**

**PUBLICLY  
CONDEMN  
THE GAZA  
GENOCIDE**



uphold the  
principles of CUNY  
Law's mission

**AND MEET OUR  
DEMANDS**

- 1. CONDEMN THE GAZA GENOCIDE**
- 2. RESPECT THE CUNY LAW BDS RESOLUTION**
- 3. PROTECT STUDENTS & FACULTY ADVOCATING  
FOR PALESTINIAN LIFE & LIBERATION**
- 4. REINSTITUTE STUDENT SPEAKERS**
- 5. TELL CUNY CHANCELLOR: CONDEMN THE  
GAZA GENOCIDE**



# **Enough is enough CUNY. Condemn the genocide publicly.**

---

"There is a difference between peace and liberation. You can have injustice and have peace. You can have peace and be enslaved. So, peace isn't the answer.

*Liberation is the answer."*

**Kwame Ture**

---

Raise your voice for those  
too afraid to speak out.

**FREE PALESTINE**

"All the Content  
That's Fit to Manufacture"

## The New York Crimes

卷之三

A New *Streptomyces*

1996, 第四届全国青年摄影大展作品集

Latin American  
Studies Committee  
and Hispanic 2000 on  
Gerrymandering

131-132

AMERICA CELEBRATES  
ITS OWN GENOCIDAL  
HISTORY AS IT SUPPLIES  
THE WEAPONS USED  
TO COMMIT GENOCIDE  
IN PALESTINE

These 1,250 members of broad  
research are from over 100 insti-  
tutions members and affiliated  
associations. The Health Institute  
has three sections by title:  
- one for men (October 25),  
- one for women (November 1),  
- and one for children (November 2).

He consented to becoming the chief  
and spokesman for the young  
men and women.

James and Elizabeth Lewis, son of



(b)(6), (b)(7)(A), (b)(7)(C)



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

April 29, 2024

Sent via email only to chancellor@cuny.edu; ogc@cuny.edu

Félix V. Matos Rodríguez  
Chancellor  
City University of New York  
205 East 42nd Street  
New York, New York 10017

Re: Case Number 02-24-2377 – City University of New York – School of Law

Dear Chancellor Matos Rodríguez:

On April 16, 2024, the U.S. Department of Education (the Department), Office for Civil Rights (OCR) received a complaint filed against the City University of New York – School of Law (the School). The complaint alleged that the School has engaged in an ongoing pattern and practice of anti-Palestinian discrimination 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. The complaint alleges that this pattern and practice includes failing to respond effectively to reported incidents of harassment of these students by other students and third-parties at the School since October 2023; cancelling events supporting Palestine hosted by these students, while not cancelling events hosted by other students unrelated to Palestine since October 2023; removing only flyers supporting Palestine posted around campus by students with actual or perceived Palestinian, Arab, and/or Muslim ancestry, while leaving up flyers posted by other students unrelated to Palestine since October 2023; and having significant police presence at and surveillance of activities of students supporting Palestinians, while not having similar presence at and surveillance of activities of other students since October 2023.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), as amended, 42 U.S.C. §§ 2000d-2000d-7, 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. As a recipient of federal financial assistance from the Department, the School is subject to Title VI and its implementing regulations.

OCR will investigate the following issues: (1) whether the School responded in a manner consistent with the requirements of Title VI to alleged harassment of students by other School students and members of the public based on actual or perceived national origin/ethnicity (including shared Palestinian, Arab, and/or Muslim ancestry) or the School students' association

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

with this national origin/ethnicity; and (2) whether the School violated Title VI by engaging in disparate treatment of School students based on their actual or perceived national origin/ethnicity (including shared Palestinian, Arab, and/or Muslim ancestry).

Please understand that opening these issues for investigation under Title VI does not mean that OCR has made a decision about the merits. During the investigation, OCR is neutral; OCR will collect and analyze the 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 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.

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 and timely resolution of this matter, OCR is providing an opportunity for the School to present its response to the Complainant's allegations 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 School 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 School 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 William Poorten, Senior Compliance Team Attorney, at (646) 428-3829 or William.Poorten@ed.gov; or Sandy Araj, Compliance Team Attorney, at (646) 428-3879 or sandy.araj@ed.gov.

Sincerely,

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

Eboné Luciano  
Compliance Team Leader

Attachment

cc: Ellen Jittrarachit, Esq. (via email only ellen.jittrarachit@cuny.edu)

**Data Request**

Case Number 02-24-2377

City University of New York, School of Law (the School)

OCR requests that this information reach our office within **20 days from the date of the attached letter, which is May 19, 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 William Poorten and Sandy Araj to receive online portal information to upload data.

Email: William.Poorten@ed.gov; Sandy.Araj@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 School's compliance with the statutory and regulatory obligations at issue in this investigation, please ensure that School 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 School 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: May 19, 2024**

Please provide the following information for academic year 2023-2024, unless otherwise indicated, or indicate in writing if any of the requested items do not exist. **If the School has already provided any of the information in response to a request made in another OCR investigation, please state what information has been provided, the relevant OCR case number, and the date of submission:**

1. Provide a narrative response to the issues OCR is investigating and a copy of any documents or data relied upon in the narrative or supporting the facts stated in the narrative.
2. Indicate if the issues raised in Case Number 02-24-2377 are pending elsewhere. If so, please provide a copy of the complaint filed and indicate its status. If it is not possible to provide a copy of the complaint, please state 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 School's internal grievance procedures, or in state or federal court).
3. Copies of the School's policies and procedures, and/or a description of the School's practices, governing the investigation of complaints or incidents of harassment of and other discrimination against students on the basis of national origin/ethnicity, 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 School staff responsible for handling complaints of discrimination, including harassment, on the basis of national origin/ethnicity, including shared ancestry, at each level of the process.
4. Explain how the School informs students and employees of the policies and procedures set forth in Item 3 above. Submit copies of all materials disseminated or links to the School's website. Also provide the name(s) and job title(s) of the individuals responsible for implementing the policies and procedures.
5. Copies of the School's policies and procedures, and/or a description of the School's practices, governing:
  - a. disciplinary or corrective actions that may be taken to address harassment of and other discrimination against students on the basis of national origin/ethnicity, including shared ancestry; and
  - b. the provision of supports and remedies to students, employees, and other individuals found to have been discriminated against/harassed on the basis of national origin/ethnicity, including shared ancestry.
6. Copies and/or descriptions of all formal and informal oral and written reports and complaints of harassment and other discrimination based on national origin/ethnicity, including shared ancestry. 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 School 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, employee, or other individual involved in the alleged incident(s) of discrimination/harassment;
- g. the name(s) and relation to the School of any individual(s) who witnessed the alleged incident(s), including any School students, employees, or others;
- h. the name(s) and relationship to the School of any witnesses interviewed by the School;
- 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 School has taken in response to the report/complaint/concerns raised, including corrective action taken, disciplinary sanctions imposed, supportive services and remedies offered and/or provided to individuals (e.g., counseling, safety measures); and/or School-wide remedies;
- 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 School 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.

7. State whether the School 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 School'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.

8. A detailed description of any training regarding discrimination, including harassment, based on national origin/ethnicity, including shared ancestry, that the School provided to School staff responsible for responding to such complaints. For each such training provide the date(s) it was delivered, 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 at the training.

9. State whether the School had a custom of allowing a student-elected speaker to speak at commencement prior to the commencement in 2024 and if so, how many years this custom existed. If the School discontinued this custom in 2024, explain why, identify the staff involved in the decision by name(s) and position title(s), state the date the decision was made, and provide copies of all documents relating to the decision. For each student-elected

commencement speaker for academic years 2019-2020 through 2023-2024, state their name, national origin/ethnicity (if known), and the date of the commencement speech.

10. State whether the School canceled and/or rescheduled an event hosted by the School's Muslim Law Student Association regarding a panel discussion about Gaza scheduled for November 15, 2023. If so, please provide:
  - a. the names of the individual(s) and their position titles who made the decision to cancel and/or reschedule the event;
  - b. all reasons for the cancelation or rescheduling and dated documentation supporting each stated reason; and
  - c. copies of all other documentation regarding the decision, including, but not limited to, correspondence, minutes of any formal or informal meetings, notes, internal memoranda, emails, voicemails, or telephone logs.
11. Copies of the School's policies and procedures, and/or a description of the School's practices, governing the display of posters, signs, flyers, or other items on the School's campus, including a description of the circumstances under which the School would deny a request to display such items on campus. Include the names and job titles of all School staff responsible for making the decision to approve or deny such a request and any School staff with authority to remove unauthorized posters, signs, flyers, or other items.
12. State whether the School removed any student's and/or student organization's flyers in or after October 2023. If so, provide the following information for each request:
  - a. the name(s) of the student(s) or student organization(s) and if not known, a copy or depiction of the removed flyer(s);
  - b. the name(s) and job title(s) of all School employees who (i) removed one or more flyers, noting the flyer at issue and (ii) were responsible for any decision to remove the flyer, noting the flyer at issue;
  - c. the name, national origin/ethnicity, (including shared ancestry if known), of each student, employee, or other individual involved.
  - d. the reason(s) the School removed the flyers, including a copy of any written explanation communicated by any School 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 School staff and students and/or among School staff, any relevant policies or procedures, emails, memoranda, reports, notes, logs, forms, and/or meeting minutes.
13. Copies and/or descriptions of all formal and informal reports and complaints, including records of oral reports and complaints and incidents of which the School is otherwise aware, concerning the removal of the flyers about Palestine posted by a group of Palestinian, Arab, and/or Muslim students, on October 17 and 18, 2023. 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 School 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/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/ethnicity (including shared ancestry if known), of each student, employee, or other individual involved in the alleged incident(s) of discrimination
- g. the name(s) and relation to the School of any individual(s) who witnessed the alleged incident(s), including any School students, employees, or others;
- h. the name(s) and job title(s) of the individual(s) involved in the response to, investigation of, and resolution of the report/complaint;
- i. all actions the School 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 to an individual (e.g., counseling, safety measures); and/or School-wide remedies;
- j. the final outcome of any investigation of the report/complaint, including copies of any incident/investigative reports, final determination, and any appeals;
- k. if the School 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;
- l. 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
- m. 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.

14. A copy of all School policies or procedures, and/or a description of the College's practices, related to police officer or other security personnel presence or surveillance of students on campus. Include the names and job titles of all School staff responsible for implementing the security and surveillance policies/procedures/practices by name(s) and position title(s).

15. State whether the School has increased its police officer or other security personnel presence on campus or during School-sponsored events since October 2023. If so, for each event, identify the event name and date, identify the staff involved in the decision by name(s) and position title(s), provide the date the decision to increase police or other security presence at the event was made, identify the police/security activity, identify the entity that was present (e.g., local law enforcement, campus security), and explain why the decision was made.

16. A copy of all School policies or procedures related to "*doxing*" or the act of publicly providing personally identifiable information about an individual or organization in the School community.

17. Copies of all formal and informal reports/complaints, including records of oral complaints/reports, concerning alleged "*doxing*" or the act of publicly providing personally identifiable information about an individual or organization in the School 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 School took in response to the complaint/report;
- e. the School'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.

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

19. Any other information the School believes will assist OCR in this investigation.