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**VIA EMAIL**

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**I. Introduction**

The University of California, Davis (hereinafter “UCD”) has mistreated Palestinians, Arabs, Muslims, and people who express solidarity with the Palestinian struggle. UCD’s own actions and failure to act against third-party harassment against these groups have fostered an environment hostile to people who are or are perceived to be Palestinian, Arab, or Muslim. This letter details numerous incidents of discrimination and harassment that complainants suffered based on their actual and perceived national origin and association with Palestinian students, and requests the Department of Education’s Office of Civil Rights (hereinafter “OCR”) commence an investigation into UCD’s numerous violations of its obligations under Title VI of the Civil Rights Act of 1964 (Hereinafter “Title VI”).

Undergraduate, graduate, and professional students at UCD have been subjected to vitriolic harassment and discriminatory treatment at the hands of students, faculty, administrators, and third parties on UCD campuses and via UCD communications channels. Through UCD’s internal process and direct conversations, administrators have repeatedly been made aware of the hostile anti-Palestinian campus climate and individual incidents of harassment and discriminatory treatment. The same administrators have not only failed to act against this hostile environment, but have also contributed to this climate through their participation in said discrimination, dismissal of concerns, seemingly singular focus on avoiding external criticism, and maintenance of an ineffective internal anti-harassment system.

The allowance and maintenance of a discriminatory environment at UCD has resulted in complainants experiencing alienation, silencing, a lack of safety, feelings of embattlement, and a general lack of support by institutional actors tasked with providing equal, nondiscriminatory access to university resources. These experiences and impacts have taken a toll on the well-being of students who are or are perceived to be Palestinian, Arab, or Muslim and the ability of individual complainants to

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

Complainants report

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

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

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

They have experienced harassment, (b)(6); (b)(7)(A); (b)(7)(C)

students

and faculty, and retaliation for attempting to access resources as full members of the campus community.

The sampling of incidents in this complaint demonstrates the pervasiveness of anti-Palestinian discrimination at UCD, the inadequacy of UCD's Harassment & Discrimination Assistance and Prevention Program (hereinafter "HDAPP"), the uneven implementation of university policies that allow for the dismissal of concerns of Palestinian students and their allies, and the creation of new policies seemingly in response to the requests and concerns of Palestinian, Arab, and Muslim students that have had the effect of preventing these students from accessing and utilizing the resources of the university. The inability and apparent unwillingness of UCD to rid itself of or adequately remedy anti-Palestinian national origin discrimination on its campus warrants an investigation by OCR into UCD's failure to fulfill its obligations under Title VI and the mandated remediation of said failure.

## II. Legal Standards

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin by institutions that receive federal financial assistance.<sup>1</sup> A university that received federal funds may violate Title VI in two ways: if it commits a discriminatory act of its own, or for permitting a hostile environment, i.e. when harassment by a third party or student is "so severe, pervasive, and objectively offensive that it effectively bars the victim's access to an educational opportunity or benefit."<sup>2</sup>

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 harassment, eliminate hostile environments, prevent recurrence, and remedy effects by ensuring that students are not barred from participation in or benefits of educational opportunities as a result of a hostile environment.<sup>3</sup> 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.<sup>4</sup>

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<sup>1</sup> 42 U.S.C. §2000d (1964).

<sup>2</sup> See *Davis ex rel. LaShonda v. Monroe Cty. Bd. Of Educ.*, 526 U.S. 629, 633 (1999). Although *Davis* is a Title IX case, the same legal standards are applied to Title VI enforcement, See, e.g., *Fitzgerald v. Barnstable Sch. Comm.*, 555 U.S. 246, 258 (2009) ("Congress modeled Title IX after Title VI of the Civil Rights Act of 1964, and passed Title IX with the explicit understanding that it would be interpreted as Title VI was.").

<sup>3</sup> See, e.g., Letter from Melanie Velez, Reg'l Dir., Dep't of Educ. Office for Civil Rights Region IV to Kathryn LeRoy, Superintendent of Polk County Pub. Schs. at 3 (Mar. 23, 2016) (RE: Case No. 04-14-1664), available at <https://www2.ed.gov/about/offices/list/ocr/docs/investigations/more/04141664-a.pdf>

<sup>4</sup> 42 U.S.C. § 2000d-1 (1964).

A hostile environment based on harassment “need not be based on the ground of the complainant’s or victim’s race, so long as it is racially motivated. See, e.g., Center Grove Community School, OCR Case No. 1591-1168 (Title VI violated where white girl was forced to withdraw from all-white school, as result of harassment by classmates which included note criticizing her association with black student at another school).”<sup>5</sup> Across UCD, students known to associate with Palestinian students and engage in educational and advocacy activities related to Palestine are subjected to racially-motivated harassment on the basis of that association, creating a hostile environment.

To the extent that this complaint details incidents of harassment and discrimination involving UCD staff, complainants request that OCR investigate how a hostile environment for UCD staff compounds the hostile environment that student beneficiaries of federal funding are subjected to.

### III. Main Campus

#### A. Harassment of Undergraduates by UC Davis Students and Faculty

Students for Justice in Palestine at UC Davis (SJP) is a registered undergraduate student organization that promotes justice, human rights, liberation, and self-determination for the Palestinian people through education and advocacy efforts. (b)(6); (b)(7)(A); (b)(7)(C) have experienced harassment due to their actual and perceived identities as Palestinian, Arab, and Muslim individuals. In the last 180 days,

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

(b)(6); (b)(7)(A); (b)(7)(C) by students and faculty at UC Davis, as well as unaffiliated third parties entering the UC Davis campus. (b)(6); (b)(7)(A); (b)(7)(C) have faced discriminatory treatment and have been subjected to unfair and highly racialized scrutiny and treatment by UCD actors in their attempts to access educational resources and facilities in which to hold extracurricular activities. UCD has fostered an environment where their Palestinian, Arab, and Muslim students experience ongoing silencing, repression, and discrimination.

##### 1. Misuse of Classroom Recordings

In (b)(6); (b)(7)(A); (b)(7)(C) and Students A and B,<sup>6</sup> undergraduate students and (b)(6); (b)(7)(A); (b)(7)(C) attended their (b)(6); (b)(7)(A); (b)(7)(C) class on (b)(6); (b)(7)(A); (b)(7)(C) taught by (b)(6); (b)(7)(A); (b)(7)(C). This class was (b)(6); (b)(7)(A); (b)(7)(C) classes taught by (b)(6); (b)(7)(A); (b)(7)(C). (b)(6); (b)(7)(A); (b)(7)(C) facilitated a class discussion on the events of October 7th. (b)(6); (b)(7)(A); (b)(7)(C) explained what she felt October 7th symbolized for Palestinians. Immediately, other students began to behave very aggressively, and tensions became very high as they yelled in (b)(6); (b)(7)(A); (b)(7)(C) direction and

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<sup>5</sup> Notice of Norma V. Cantu, Asst. Sec. for Civil Rights on Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance (Mar. 7, 1994), available at <https://www2.ed.gov/about/offices/list/ocr/docs/race394.html>

<sup>6</sup> The two students referred to as Students A and B are known to the complainant and are willing to be interviewed by the Office of Civil Rights.

interrupted her every time she and other Palestinian and Muslim students spoke. As (b)(6); (b)(7)(A); continued to share her opinion, other students cut her off and yelled at her. (b)(6); (b)(7)(A); asked other students multiple times to “please not interrupt me” but they continued to do so. So many other students were yelling that it was difficult for (b)(6); (b)(7)(A); Student A, or Student B to hear exactly what they were yelling in (b)(6); (b)(7)(A); direction. (b)(6); (b)(7)(A); did not mediate the dispute between (b)(6); (b)(7)(A); and the other students. Further, he expressed disappointment with and disapproval of (b)(6); (b)(7)(A); viewpoint. After class, other students continued to glare at and whisper about (b)(6); (b)(7)(A);

(b)(6); (b)(7)(A); was denied the ability to safely speak in a classroom environment as (b)(6); (b)(7)(A); student speaking about Palestine. (b)(6); (b)(7)(A); was unable to finish speaking and felt completely overtaken and shut down not only by (b)(6); (b)(7)(A); (b)(7)(C) but by a number of other students. (b)(6); (b)(7)(A); both in his syllabi and in discussing his expectations for the class, made clear his expectation for respectful and professional conduct and discourse. When (b)(6); (b)(7)(A); was interrupted, shouted at, and called names by other students, she felt targeted, harassed, and isolated due to her identity as a (b)(6); (b)(7)(A); (b)(7)(C) student. In a private conversation between (b)(6); (b)(7)(A); Students A & B, and (b)(6); (b)(7)(A); (b)(7)(C) he acknowledged that the behavior of some students, including (b)(6); (b)(7)(A); was inappropriate and had been an issue in other courses. In other lively class discussions, (b)(6); (b)(7)(A); (b)(7)(C) took an active role moderating between students of divergent viewpoints, yet when it came to (b)(6); (b)(7)(A); and others, he allowed students to attack and berate (b)(6); (b)(7)(A); and those who shared her viewpoint. If not for (b)(6); (b)(7)(A); friends and allies in the class, she would not have felt comfortable returning to subsequent classes.

Later in the (b)(6); (b)(7)(A); (b)(7)(C) told the class he would not be recording classes going forward as (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); It was (b)(6); (b)(7)(A); and other students’ belief that a classmate may have (b)(6); (b)(7)(A); (b)(6); (b)(7)(A); (b)(7)(C)

From the beginning of (b)(6); (b)(7)(A); when most students took the (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); classes were not recorded. During the (b)(6); (b)(7)(A); (b)(7)(C) on (b)(6); (b)(7)(A); (b)(6); (b)(7)(A); spoke during a public comment period at a Davis City Council meeting.<sup>7</sup> (b)(6); (b)(7)(A); quoted (b)(6); (b)(7)(A); exact words from the (b)(6); (b)(7)(A); in-class discussion. (b)(6); (b)(7)(A); believed that (b)(6); (b)(7)(A); could only quote her exact words from class if he was personally recording her during the class for the purpose of reporting on her words. (b)(6); (b)(7)(A); felt surveilled, harassed, and unwelcome in a learning environment supposedly dedicated to learning and the safe exchange of ideas. (b)(6); (b)(7)(A); was

<sup>7</sup> A recording of this public comment is available on the City of Davis website at (b)(6); (b)(7)(A); (b)(7)(C)



bolstered in her earlier belief that (b)(6); (b)(7)(A); (b)(7)(C) comments during (b)(6); (b)(7)(A); about ceasing recording of classes was due to actions similar to those exhibited by (b)(6); (b)(7)(A); in the (b)(6); (b)(7)(A); (b)(7)(C) and other students lost access to the valuable resource of class recordings. (b)(6); (b)(7)(A); was burdened by (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); felt that if she was not (b)(6); (b)(7)(A); would either not have taken this action or, at the very least, it would have resulted in consequences, especially if (b)(6); (b)(7)(A); (b)(7)(C) was actually aware that he was misusing class recordings for purposes of intimidation and harassment. (b)(6); (b)(7)(A); continued to (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) because, while the class recordings had been halted, she did not know if (b)(6); (b)(7)(A); or other students would comply and not record classroom discussions with their own devices. It was not easy for (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) harassed, and unsupported in said classes. Furthermore, she lost access to the very resource that would have helped her mitigate the effects of the hostile classroom environment by letting her review course content and discussions.

## 2. Harassment and Surveillance at Campus Events

SJP typically holds demonstrations at the Quad in front of the Memorial Union, a building at the center of campus, and holds educational events in various UCD classrooms reserved by the organization in advance. (b)(6); (b)(7)(A); continuous and persistent harassment of SJP members began in (b)(6); (b)(7)(A); As (b)(6); (b)(7)(A); (b)(7)(C) has harassed SJP members and other student attendees by (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) despite being requested not to by numerous students due to safety concerns (b)(6); (b)(7)(A); has (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); continued this harassment by (b)(6); (b)(7)(A); (b)(7)(C) which caused further vitriolic harassment towards these students over the internet. (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) an undergraduate student at UC Davis (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) viewed the article as misinformative, inflammatory, and designed to promote animus against Palestinian students by employing racist tropes of Arab terrorism and false claims of antisemitism. (b)(6); (b)(7)(A); (b)(7)(C) believed both (b)(6); (b)(7)(A); and (b)(6); (b)(7)(A); solicited and contributed to (b)(6); (b)(7)(A); (b)(7)(C) in order to harass and intimidate SJP and community members, purposefully demonize and misconstrue their actions and identities, and place Palestinian students at a higher risk of doxxing and harm. As a result of the actions of (b)(6); (b)(7)(A); and

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<sup>8</sup> See Attachment A

(b)(6); (b)(7)(A); (b)(7)(C) SJP changed their internal protest policy to require all SJP board-members to be fully masked and for masks to be available to community members in order to reduce risks of doxxing and harassment.

On October 16th, at a rally for Palestine at the Memorial Union, a graduate student in the (b)(6); (b)(7)(A); (b)(7)(C) was roaming the edge of the rally verbally harassing undergraduate student attendees. (b)(6); (b)(7)(A); (b)(7)(C) asked students who held signs with the number of Palestinian children who had been killed by that point, (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) He proceeded to initiate conversations with undergraduate students, (b)(6); (b)(7)(A); (b)(7)(C) Two graduate students and one faculty member present confronted (b)(6); (b)(7)(A); (b)(7)(C) to tell him his actions were creating a hostile and unsafe environment for students who were at the event to grieve, not be accused of terrorism by agitated strangers.<sup>9</sup> In response to one of the intervening graduate students telling him not to approach random people and pointing to a student (b)(6); (b)(7)(A); (b)(7)(C) had just been harassing, he replied “not random, I know that student,” indicating that he may have been harassing one of his own current or former students.

On October 25th, 2023, SJP held a protest calling for a ceasefire in Palestine. The protest began near Wellman Hall and ended at Mrak Hall. (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) near Wellman Hall. Multiple students asked him to (b)(6); (b)(7)(A); (b)(7)(C) due to concerns for their safety. In response, (b)(6); (b)(7)(A); (b)(7)(C) yelled at students and called them (b)(6); (b)(7)(A); (b)(7)(C) It appeared to Student B that he targeted students for (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) Because (b)(6); (b)(7)(A); (b)(7)(C) would not stop (b)(6); (b)(7)(A); (b)(7)(C) in an effort to protect protestors and create a record of the harassment, Student B began to (b)(6); (b)(7)(A); (b)(7)(C) Subsequently, (b)(6); (b)(7)(A); (b)(7)(C) stopped talking and refused to speak. However, he remained in the vicinity and continued (b)(6); (b)(7)(A); (b)(7)(C)

As protesters walked from Wellman Hall to Mrak Hall, (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) Student B was (b)(6); (b)(7)(A); (b)(7)(C) Student B asked him to (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) responded by yelling and calling Student B (b)(6); (b)(7)(A); (b)(7)(C) He also yelled at other students, saying (b)(6); (b)(7)(A); (b)(7)(C) Student B explained to him that the protest was not in support of Hamas but to bring awareness to the need for a ceasefire in Gaza.

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<sup>9</sup> This faculty member is known to complainants and willing to speak to OCR as part of their investigation. Four additional UCD faculty members, as well as (b)(6); (b)(7)(A); (b)(7)(C) are known to complainants, and are willing to speak to OCR about what they experienced and witnessed pertaining to various incidents detailed in this complaint.

At almost every demonstration, (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A) approached student attendees to harass them by asking them personal questions, questioning their (b)(6); (b)(7)(A); (b)(7)(C) and asking them about their historical understandings and opinions surrounding the matter of occupied Palestine. On multiple occasions, undergraduate, graduate, and professional students intervened, asked (b)(6); (b)(7)(A) to stop harassing students, and informed students that they were free to ignore the harassment and could notify an event organizer if the harassment escalated.

On February 1st, 2024, SJP held a protest to encourage the San Francisco District Attorney not to pursue charges against students cited at the January 2024 UC Board of Regents Meeting while peacefully protesting for Palestine and against the University's institutional complicity in violations of human rights and international law.<sup>10</sup> (b)(6); (b)(7)(A); (b)(7)(C) saw a student named (b)(6)<sup>11</sup> sitting at a table near the protest. (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) to let him know that they were aware of his behavior. (b)(6) got up and left. During the same protest, (b)(6); (b)(7)(A); (b)(7)(C)

Campus administrators often attend SJP demonstrations and observe from close by; for this reason, UCD is on notice of the behavior of students, faculty, and third parties who harass and surveil attendees of these events. Administrative staff have routinely approached SJP board members before protests to warn them that if any attendees engage in activities like graffiti and vandalism, SJP as an organization would be found at fault. These actions do not make (b)(6); (b)(7)(A); (b)(7)(C) feel like (b)(6); (b)(7)(A); (b)(7)(C). A recent egregious and discriminatory example of such a communication occurred at the February 1st event when (b)(6); (b)(7)(A); (b)(7)(C) approached Student A and told her that if any student engaged in vandalism, students (b)(6); (b)(7)(A); (b)(7)(C)

Although Registered Student Organizations take responsibility for their events, it is unrealistic to expect them to control the behavior of every attendee at publicly advertised events which have had hundreds of students and community members in attendance. When (b)(6); (b)(7)(A); (b)(7)(C) had conversations with other organizations and student leaders, they learned that no other organization is met with the same hostility, surveillance, and pre-event warnings like this. SJP (b)(6); (b)(7)(A); (b)(7)(C) are targeted for their real and perceived Palestinian, Arab, and Muslim identities. (b)(6); (b)(7)(A); (b)(7)(C) feel purposefully and singularly undermined on the basis of their national-origin and perceived identities and experience many more roadblocks while planning and hosting official functions than other student organizations.

<sup>10</sup> (b)(6); (b)(7)(A); (b)(7)(C) the (b)(6); (b)(7)(A); (b)(7)(C)

<sup>11</sup> (b)(6) last name is unknown. A picture has been provided as Attachment B.

<sup>12</sup> This exchange was raised in a subsequent meeting between student organizers and administrators, after which (b)(6); (b)(7)(A); (b)(7)(C) emailed (b)(6); (b)(7)(A); (b)(7)(C) asserting that this is not what was said, but apologizing for how this was "interpreted." See (b)(6); (b)(7)(A); (b)(7)(C) email and (b)(6); (b)(7)(A); (b)(7)(C) response, which makes reference to the discriminatory campus climate and the events of November 17th, Attachment C.

During the week of March 4-8th, (b)(6); (b)(7)(A); (b)(7)(C)  
(b)(6); (b)(7)(A); (b)(7)(C)  
(b)(6); (b)(7)(A); (b)(7)(C)  
(b)(6); (b)(7)(A); (b)(7)(C)  
(b)(6); (b)(7)(A); (b)(7)(C) was taking a quiz at a table next to (b)(6); (b)(7)(A); (b)(7)(C) and later told (b)(6); (b)(7)(A); (b)(7)(C) that they overheard (b)(6); (b)(7)(A); (b)(7)(C) and other students continuously saying that (b)(6); (b)(7)(A); (b)(7)(C) which was untrue. In response to this assumption, the group began to (b)(6); (b)(7)(A); (b)(7)(C) Eventually, the group waved at (b)(6); (b)(7)(A); (b)(7)(C) mockingly and left.

Later that week, on March 6th, 2024, SJP was tabling on campus again to raise funds for a bona fide medical supply drive for Gaza. (b)(6); (b)(7)(A); (b)(7)(C) an undergraduate student, walked back and forth in front of SJP's table while making mocking faces. (b)(6); (b)(7)(A); (b)(7)(C) then raised his middle finger at the SJP table before leaving. (b)(6); (b)(7)(A); (b)(7)(C) but did not interact any further due to serious safety concerns regarding this specific student and his (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) is a student known to (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) It is unclear whether any administrative staff or faculty were present or saw this interaction, but the incident occurred in a part of campus that has heavy foot traffic.

Later that same day, SJP held an educational event on Forms of Palestinian Resistance. (b)(6); (b)(7)(A); (b)(7)(C) and an unknown woman attended the event. (b)(6); (b)(7)(A); (b)(7)(C) are known by SJP to have harassed students with slurs and hate speech at campus events in addition to (b)(6); (b)(7)(A); (b)(7)(C) when explicitly asked not to. (b)(6); (b)(7)(A); (b)(7)(C) and student A & B did not feel comfortable having them at the SJP event because of their past behavior.

Student B spoke to (b)(6); (b)(7)(A); (b)(7)(C) and Student A talked to (b)(6); (b)(7)(A); (b)(7)(C) talked to (b)(6); (b)(7)(A); (b)(7)(C) and requested that they leave because they had verbally harassed students in the past. (b)(6); (b)(7)(A); (b)(7)(C) could see (b)(6); (b)(7)(A); (b)(7)(C) get visibly upset and he (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C)  
(b)(6); (b)(7)(A); (b)(7)(C)  
(b)(6); (b)(7)(A); (b)(7)(C)  
(b)(6); (b)(7)(A); (b)(7)(C)  
(b)(6); (b)(7)(A); (b)(7)(C) During this period, Student A made a phone call to (b)(6); (b)(7)(A); (b)(7)(C) student at UCD, who immediately called the (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) to seek guidance on SJP's behalf, only to reach her voicemail. After extensive discussion and attempts by SJP board members to comply with their understanding of UCD policy on holding closed events, the group eventually left and SJP's event was able to proceed.

(b)(6); (b)(7)(A); (b)(7)(C) were present for the entirety of this encounter, all of whom were incredibly perturbed by the fact that two faculty members would publicly display such aggressive and

intimidating behavior. (b)(6); (b)(7)(A); (b)(7)(C)  
(b)(6); (b)(7)(A); (b)(7)(C) It has now become common practice that (b)(6)  
(b)(6); (b)(7)(A); (b)(7)(C) whether on or off campus.

This internal practice was adopted specifically in response to this incident.

This incident was not reported through HDAPP, but was communicated to (b)(6); (b)(7)(A); (b)(7)(C) who responded by assuring SJP that he would aim to be present for the first 15-20 minutes of future SJP events and clarify the guidelines for exclusion of attendees whose only purpose in being present at events is to harass, intimidate, and stymie students' free exchange of information. Complainants find this to be an unsatisfactory solution and that UCD administrators have done nothing to discourage the environment of rampant harassment and bullying of Palestinian, Arab, and Muslim students by institutional actors at UC Davis.

Many other incidents remain unreported as (b)(6); (b)(7)(A); (b)(7)(C) fear retaliation, distrust UCD administrative actors who themselves engage in discriminatory behavior, and find UCD an environment that generally disregards incidents of this nature. Student B has (b)(6); (b)(7)(A); (b)(7)(C) and has been met with little to no support, minimal investigation, unreasonably quick dismissals, and no measures of accountability for perpetrators of harassment. This pattern has created an environment in which Palestinian students feel as though reporting through HDAPP or to UC Davis officials is not only a waste of time but heightens the level of surveillance and discrimination that Palestinian, Arab, and Muslim students are subject to. When UCD administrators frame harassment as a conflict between two equally-situated "sides," they abdicate their responsibility to address the hostile campus climate for Palestinian, Arab, and Muslim students.

## B. Discriminatory Treatment of Student Protestors at Mrak Hall

On November 17th, students rallied on campus and marched to the administration building of UCD, Mrak Hall. A number of graduate and professional students, organized under the name UC Davis Graduate, Medical, Veterinary, and Law Students for Justice in Palestine<sup>13</sup> were in attendance and intended to deliver a statement, list of demands, and list of signatories to administrators.<sup>14</sup> When the group of students arrived at the building, they saw pieces of paper taped to the external doors indicating that the building was closed to the public.

Administrators outside the building approached the group of students and informed them that they would not be able to enter the building. (b)(6); (b)(7)(A); (b)(7)(C) spoke with (b)(6); (b)(7)(A); (b)(7)(C)

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<sup>13</sup> The name of this organization, which is not a Registered Student Organization, was later changed, at the prompting of administrators and in order to avoid infringing on UCD's intellectual property rights or implying a connection to or endorsement by UCD, to Davis Graduate, Medical, Veterinary, and Law Students for Palestine.

<sup>14</sup> Complainants are aware that the events of this day have been described in a fabricated and racially derogatory manner in an Office of Civil Rights complaint dated April 1, 2024.

(b)(6); (b)(7)(A); (b)(7)(C) about the group's desire to enter Mrak Hall to deliver their statement, demands, and list of signatories. During this exchange, and in the direct vicinity of where (b)(6); (b)(7)(A); (b)(7)(C) and tens of other students were standing right outside the glass doors, (b)(6); (b)(7)(A); (b)(7)(C)

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

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

Upon (b)(6); (b)(7)(A); (b)(7)(C) protestors began pounding on the locked doors with their hands and shouting "let them out." Some students ran to the glass doors on the opposite side of the building. (b)(6); (b)(7)(A); (b)(7)(C) asked (b)(6); (b)(7)(A); (b)(7)(C)

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

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

(b)(6); (b)(7)(A); (b)(7)(C) Over the course of the next 10-15 minutes, (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A); (b)(7)(C) made some phone calls and informed (b)(6); (b)(7)(A); (b)(7)(C) under the condition that protestors not attempt to enter Mrak Hall for the duration of the event and that the (b)(6); (b)(7)(A); (b)(7)(C) The

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

(b)(6); (b)(7)(A); (b)(7)(C) The rest of the event proceeded on the steps of Mrak Hall with a drum performance and speeches by organizers.

During this event, (b)(6); (b)(7)(A); (b)(7)(C)

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

In the aftermath of this event, on November 22nd, the Center for Student Involvement sent an email to all organizational sponsors of the event reminding them of various UCD policies and that property damage is not protected by the First Amendment. On January 24th and again on February 26th, (b)(6); (b)(7)(A); (b)(7)(C) verbally asked Chancellor May about the status of the (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) On both occasions, Chancellor May said that the incident had been referred to the UCD Police Department's Police Accountability Board. To the complainants' knowledge, neither the victim nor any students present at this event have been contacted by the Police Accountability Board, nor has the Board published any outcome on their public database of cases.

In the days leading up to the November 17th incident, UCD administration did not warn any event sponsors or organizers of any security threat or closure of Mrak Hall. UCD is a public university, Mrak Hall is generally accessible to the public, and on multiple prior occasions protestors have entered Mrak Hall, including in December 2022 during a strike of academic workers.

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<sup>15</sup> The student who was detained is known to complainants and willing to speak with an OCR investigator.

### C. Event Promotion, Co-Sponsorship, and Listserv Access Policy Changes

UCD academic departments, student organizations, and non-departmental centers and offices organize, sponsor, and advertise events throughout the year, including extracurricular lectures, panels, discussions, film screenings, and cultural celebrations. (b)(6); (b)(7)(A); (b)(7)(C)

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

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

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

Because of his work around (b)(6); (b)(7)(A); (b)(7)(C) faced discrimination and harassment from university-affiliated actors and third parties based on perceived national origin.

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

October 18th teach-in entitled “Emergency Teach-In: Palestine Now,” which offered the campus community the opportunity to learn from faculty and a postdoctoral scholar with significant expertise on the topic. In (b)(6); (b)(7)(A); (b)(7)(C) entitled “Israeli Genocide: History & The Law” with two renowned scholars. (b)(6); (b)(7)(A); (b)(7)(C) sought co-sponsorships of these events from academic departments, student organizations, and other campus offices that have a practice of hosting and co-sponsoring educational events on various topics. The purpose of seeking multiple co-sponsors was to reach more potential attendees. They were co-sponsorship requests with the aim of expanding a campus conversation across campus departments about Palestine, to elicit discussion, to end the shame, stigma, and fear that students, staff, and faculty feel about discussing Palestine at UCD. These requests were denied by several UCD actors, including the LGBTQIA Resource Center, the History Department, the University Writing Program, the Graduate Email Coordinators of the Graduate Studies Advisory Committee, the Political Science Department, and the Jewish Studies Department.

#### *1. LGBTQIA Resource Center*

On (b)(6); (b)(7)(A); (b)(7)(C) emailed (b)(6); (b)(7)(A); (b)(7)(C) inviting the LGBTQIA Resource Center to co-sponsor the October teach-in. (b)(6); (b)(7)(A); (b)(7)(C) responded the next day: “... unfortunately as a center we are not allowed to express stances on political topics, so we cannot offer a co-sponsorship even in name.”<sup>16</sup> It is clear, however, that this is not a uniformly applied policy. On their social media, the Center promoted a discussion they co-hosted with Angelica Ross entitled “From Marginalization to Liberation,” released public Instagram posts disapproving of Supreme Court Decisions, and made statements about controversial campus events.

#### *2. History Department*

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<sup>16</sup> See Attachment D.

(b)(6); (b)(7)(A); (b)(7)(C) also requested cosponsorship from the UCD History Department. After numerous back-and-forth emails in which cosponsorship was extended and rescinded, he was later informed by faculty that his request led to a change in policy in the History Department, which now requires requests to be routed through the department's "Advisory Council." The Advisory Council has been given effective veto-power over sponsorship decisions despite a long history of co-sponsorship decisions being forwarded to and approved by the Colloquium Committee Chair. The hastily implemented policy has been irregularly followed, with at least two subsequent co-sponsored events occurring without approval via the new process. Discussion of the policy and its potential impact on academic freedom and access issues among the faculty and staff of the History Department has been repeatedly delayed. This merits investigation by the Department of Education, especially where said policy change may have been established at the behest of individual faculty harboring discriminatory anti-Palestinian animus.

### *3. University Writing Program*

On (b)(6); (b)(7)(A); (b)(7)(C) reached out to the UCD University Writing Program (UWP) for sponsorship of the October teach-in, but was told the UWP committee would not have time to decide on sponsorship. When (b)(6); (b)(7)(A) pointed out that they had a committee meeting already scheduled before the event, they did not reply. (b)(6); followed up after the event to ask why they would not discuss the event at their meeting, but he was redirected to (b)(6); (b)(7)(A); (b)(7)(C). (b)(6); (b)(7)(A); (b)(7)(C) did not respond to (b)(6); (b)(7)(A); emails, and (b)(6); (b)(7)(A); concerns were once again lost in bureaucratic accountability shuffling.

### *4. Graduate Email Coordinators*

At UCD, (b)(6); (b)(7)(A); (b)(7)(C) run a graduate studies listserv. They receive emails from students, administrators, and graduate department coordinators with event promotions and announcements, and then forward them to other department coordinators who in turn distribute the information to their departments. (b)(6); (b)(7)(A); has used this system for years to distribute information about events. The only reason they had ever denied his requests to forward information in the past was because they are not able to forward messages from "outside organizations."

On (b)(6); (b)(7)(A); (b)(7)(C) asked (b)(6); (b)(7)(A); (b)(7)(C) to forward information about the October teach-in. Although this event was sponsored by the Cultural Studies Graduate Association, the Cultural Studies program, and several other campus organizations, (b)(6); (b)(7)(A); never received a response.

On (b)(6); (b)(7)(A); (b)(7)(C) sent another request to forward information about the December teach-in. He received no response to the original email or his follow-up until after the event had passed. This late reply said that GSAC was reevaluating the listserv policy to focus more on sharing information about "deadlines, policy changes, and staff trainings." GSAC never publicized the changed



policy. (b)(6); (b)(7)(A); (b)(7)(C) was frustrated that his only means of reaching other graduate departments, and thus a wider audience of graduate students outside his own department, was being cut off. Subsequently, it seems that the coordinators have stopped sending event announcements.

#### *5. Political Science Department*

On (b)(6); (b)(7)(A); (b)(7)(C) emailed the UCD Political Science Department to ask if they would sponsor the December teach-in. (b)(6); (b)(7)(A); (b)(7)(C) responded that they “don’t sponsor these kinds of events.”<sup>17</sup>

#### *6. Jewish Studies Department*

On (b)(6); (b)(7)(A); (b)(7)(C) emailed (b)(6); (b)(7)(A); (b)(7)(C) an invitation to sponsor the December teach-in. (b)(6); (b)(7)(A); (b)(7)(C) responded saying that he would be open to sponsoring the event if the organizers would change the title to “Genocide, History, and the Law,” taking Israel out of the title, thereby erasing Israeli responsibility for the ongoing genocide in Gaza. When (b)(6); (b)(7)(A); (b)(7)(C) expressed that he would be open to changing the title but would not completely remove any mention of Israel from the event title, (b)(6); (b)(7)(A); (b)(7)(C) accused (b)(6); (b)(7)(A); (b)(7)(C) of bringing the sponsorship request in bad faith and said the Jewish Studies Department could not sponsor without having input into the event, despite at first saying that would not be a problem.

The overarching theme of (b)(6); (b)(7)(A); (b)(7)(C) interactions with UCD departments and offices is a deep unwillingness on the part of the university to engage with the ongoing genocide in Gaza or students organizing to educate the broader UCD community about this matter. The numerous pretextual excuses, policy changes, and lack of response that (b)(6); (b)(7)(A); (b)(7)(C) received suggest systemic hostility toward the topic of Palestine, and by extension, the members of the UCD student body actually or perceived to be Palestinian.

### D. Academic Senate Executive Council

The UCD Academic Senate's Executive Council (hereinafter “the Council”) advises the Academic Senate on matters of policy and proposes legislation. It is also empowered to convene emergency meetings of faculty representatives or to act on behalf of the Academic Senate in urgent circumstances.<sup>19</sup> This may be done by the Chair, Acting Chair, or at the joint request of any three members “for the purpose of determining that urgent circumstances exist and taking appropriate action.”<sup>20</sup>

Academic Senate runs a Listserv that goes out to all members of the Senate, including members of the Council, to “deliver information, generally of an academic nature, that directly impacts

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<sup>17</sup> Attachment E

<sup>18</sup> Attachment F

<sup>19</sup> Davis Division Bylaws 73(C)

<sup>20</sup> *Id.*

Academic Senate faculty as a whole.”<sup>21</sup> Individuals may send information to the Listserv address and the moderators must either approve the message and distribute it or “reject it *with explanation*” (emphasis added).<sup>22</sup> Their policy states that “They will reject messages that are inappropriate or do not meet the distribution criteria.”<sup>23</sup> Those wishing to send messages to the Academic Senate are explicitly discouraged from contacting Academic Senate Office Staff and told they will be redirected to the Listserv.

On (b)(6); (b)(7)(A); (b)(7)(C) sent an email on behalf of Davis Graduate, Medical, Veterinary, and Law Students for Palestine to the Academic Senate Listserv calling on the Council to hold an emergency meeting to consider student demands around censorship of speech about Palestine on campus and various other relevant issues.<sup>24</sup> The letter voiced concern that the administration had not addressed the harassment of Palestinian, Arab, and Muslim students who supported Palestine through petitions, campus actions, and educational teach-ins.

(b)(6); (b)(7)(A); (b)(7)(C) letter was inspired by action the Council had taken in November 2022, when the Associated Students of UCD sent a letter to the Academic Senate requesting an emergency meeting to discuss academic flexibilities for undergraduates students impacted by the UAW strike of academic workers. The email was distributed to members of the Academic Senate, the Council called an emergency meeting, and action was taken to provide students with extensions and flexibility under the circumstances.

(b)(6); (b)(7)(A); (b)(7)(C) motivation in sending the letter came from a similar concern for students’ academic needs. His letter spoke of widespread grieving on campus for the violence carried out against Palestinians and the impact of censorship and anti-Arab and anti-Palestinian racism on students.

(b)(6); (b)(7)(A); (b)(7)(C) message was not distributed and the moderators of the Listserv did not respond. (b)(6); (b)(7)(A); (b)(7)(C) followed up twice, asking why the letter would not be distributed per Listserv policies.<sup>25</sup> (b)(6); (b)(7)(A); (b)(7)(C) responded on (b)(6); (b)(7)(A); (b)(7)(C) noting the Listserv was generally for information of an academic nature, with no explanation of why (b)(6); (b)(7)(A); (b)(7)(C) letter did not fall within that scope.<sup>26</sup> (b)(6); (b)(7)(A); (b)(7)(C) did not respond to (b)(6); (b)(7)(A); (b)(7)(C) subsequent request for an explanation of why his letter did not qualify.<sup>27</sup>

This listserv is the primary method students may use to request Council members to call an emergency meeting to discuss the climate students are experiencing on campus. Students are uniquely situated to understand campus climate, yet (b)(6); (b)(7)(A); (b)(7)(C) request was not allowed to get to a stage where

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<sup>21</sup> [Academic Senate Listserv](#)

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> See Attachment G

<sup>25</sup> See Attachment H

<sup>26</sup> See Attachment I

<sup>27</sup> See Attachment J

faculty could evaluate students' claims, thereby preventing faculty from protecting and supporting students.

(b)(6);  
UCV/73/ANA sought out this method of communicating with faculty after having no success communicating with higher-level administrators, and after school employees he spoke to told him that addressing these concerns were “not what we do.” Being aware of the various instances and forms of discrimination occurring to students across UCD, he recognized a pattern of discrimination was occurring that was systematic and encompassed the entire institution. He did not know what other spaces existed on campus to facilitate accountability and hear student voices if not the Academic Senate, who had listened to students during the strike. He felt frustrated, dismayed, and belittled by the fact that the highest institutional bodies that existed on campus to facilitate accountability and hear student voices so easily dismissed the experiences of Arab, Palestinian, Muslim students (and those perceived to be) as irrelevant to the functioning of the university. He felt that this community was being invisibilized while it faced interpersonal and institutional racism, and were essentially being told they do not belong here, without means of demanding accountability by any authoritative body accountable to them, and they are left with no means of seeking redress for their grievances.

Were there a robust and diverse community of faculty at UC Davis that reflected (b)(6);  
UCV/73/ANA and other students' experiences of discrimination, there could have been a wider conversation initiated by faculty. But very few Arab, Palestinian, South West Asian, and North African (SWANA) faculty teach at UCD, highly disproportionate to the numbers of Arab, Palestinian and SWANA students. Because it is a vastly underrepresented community at UCD, students advocated for themselves only to be ignored, dismissed, and disregarded.

In the absence of responsive or diverse faculty, undergraduate and graduate students have been organizing nearly all of the Palestine-related educational programming at UC Davis. In comparison, following the Russian invasion of Ukraine, UCD hosted several events on the topic, including the Ukraine Health Panel on March 15, 2022, hosted by UC Davis Health and the Global Health office; the Crisis in Ukraine panel offered by the UC Davis School of Law on March 7, 2022; and The Backdrop podcast on the Destruction of Ukrainian Cultural Heritage that aired on April 1, 2022.<sup>28</sup> In the wake of Israel's accelerated ongoing genocide of Palestinians, the school offered no such programming, and Arab, Muslim, and Palestinian students had to provide community education for themselves and the campus writ large. This pattern, like Israel's treatment of Palestinian people and lands, precedes the events of October 7th, where, on UCD's campus, the thrust of academic programming on Palestine has been driven by students as opposed to institutional actors.

Student organizers have been seeking various forms of institutional support and co-sponsorships precisely because the university has not invested in faculty and staff to develop

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<sup>28</sup> <https://siss.ucdavis.edu/announcements/resources-support-ukraine-other-regions-during-crisis>

Arab-American and Palestine centered educational institutions that serve this community educationally or understand and sympathize with the problems they face. Students have made their position clear in numerous petitions as well as a resolution passed by the UCD Graduate Students Association which received more than the required 2/3rds representative vote.<sup>29</sup>

In every instance (b)(6); (b)(7)(A) was denied access to forums managed by UCD actors, he was left to conclude that discriminatory animus was responsible for the continual denials of access to these vital UCD resources. Instead of treating its students as a nuisance to be ignored or silenced, UCD must address the normalized anti-Arab and anti-Palestinian racism endemic within it.

#### E. Diversity, Equity, and Inclusion (DEI) Office

On (b)(6); (b)(7)(A); (b)(7)(C) received a message forwarded on behalf of (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) at UCD.<sup>30</sup> The email subject was “Campuswide DEI Events” and included promotions for an event hosted by the Congregation Bet Haverim and several UCD courses, including “Modern Israel,” “Middle East Politics,” and “Arab-Israeli Conflict.” Congregation Bet Haverim is a Davis synagogue with its own “Countering Antisemitism Committee” that holds events at UCD, often from a Zionist perspective, attempting to conflate antisemitism with anti-Zionism. One of the Synagogue’s affinity groups is called Israel Haverim, which is: “dedicated to promoting and supporting Israel as a Jewish homeland and spiritual and cultural anchor of Jewish life. We sponsor events, lectures, and other activities related to our support of Israel.”<sup>31</sup>

(b)(6); (b)(7)(A) was concerned that the DEI office was promoting these events and courses without also sharing information with students about upcoming events and courses about Palestine from an Arab, Palestinian, or anti-Zionist perspective. (b)(6); (b)(7)(A); (b)(7)(C) emailed (b)(6); (b)(7)(A); (b)(7)(C) on (b)(6); (b)(7)(A); (b)(7)(C) asking if she could use her platform again to share events and courses countering anti-Arab and anti-Palestinian racism. (b)(6); (b)(7)(A); (b)(7)(C) included an upcoming teach-in titled “Palestine Now Teach-in Part 3: A Discussion with Francesca Albanese, United Nations Special Rapporteur on the Occupied Palestinian Territories,” which was organized with multiple UCD graduate programs and student organizations, and offered to forward examples of courses that included Arab and Palestinian perspectives, which he later did email.

(b)(6); (b)(7)(A); (b)(7)(C) did not receive a response for over a month, despite sending follow-ups. He followed up again on (b)(6); (b)(7)(A); (b)(7)(C) requesting that the DEI office share two new events, titled “Know Your Rights: Free Speech and Assembly Workshop,” hosted by a Pro-Palestine graduate organization, and “Environmental Destruction and Justice in Palestine Workshop,” as well as several courses offered through the History and Middle East/South Asia Studies, and Ethnic Studies programs about Arab-American and SWANA studies, anti-racism, and colonialism.

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<sup>29</sup> Attachment K

<sup>30</sup> For all quotes in this subsection, see Attachment L

<sup>31</sup> See <https://www.bethaverim.org/engage/committees/israel-haverim/>

(b)(6); (b)(7)(A); (b)(7)(C) responded on (b)(6); (b)(7)(A); (b)(7)(C) saying, “Our office is undergoing a process review for communications for events that are developed outside of our office; we are also in review regarding ways to provide additional support for programming from departments.”

(b)(6); (b)(7)(A); (b)(7)(C) then asked if (b)(6); (b)(7)(A); (b)(7)(C) had the ability to use discretion while policies were being reviewed, explaining the urgent need for DEI to support “a racialized and disadvantaged group trying to uplift and maintain itself through programming” in the face of an ongoing genocide and rampant racism on campus. He asked if there was a specific problem with the events or fliers that prevented the office from sharing the information.

(b)(6); (b)(7)(A); (b)(7)(C) responded saying the situation was “complex.” In a later conversation in person with (b)(6); (b)(7)(A); (b)(7)(C) the (b)(6); (b)(7)(A); (b)(7)(C) told (b)(6); (b)(7)(A); (b)(7)(C) that if a department is sponsoring an event it “will be easier” for the DEI office to send it out. (b)(6); (b)(7)(A); (b)(7)(C) was confused why this policy was not shared with him directly in their email exchange and whether or not this was the complete policy, as the (b)(6); (b)(7)(A); (b)(7)(C) language made it seem like there might be other reasons they would reject event promotion requests even if the event was sponsored by a department.

(b)(6); (b)(7)(A); (b)(7)(C) was also confused as to how the policy for sharing events had changed between (b)(6); (b)(7)(A); (b)(7)(C) when (b)(6); (b)(7)(A); (b)(7)(C) shared events that were not sponsored by campus departments, and (b)(6); (b)(7)(A); (b)(7)(C) when (b)(6); (b)(7)(A); (b)(7)(C) emailed his first request. Additionally, sharing courses offered by UCD departments seemed to fall within the new policy articulated by (b)(6); (b)(7)(A); (b)(7)(C) but she had refused to forward out the courses (b)(6); (b)(7)(A); (b)(7)(C) shared in (b)(6); (b)(7)(A); (b)(7)(C) was left to believe that the policy change had been hastily implemented following his request that DEI promote events relating to Palestine and was motivated by a desire to stymie Arab and Palestinian speech on campus.

Additionally, on (b)(6); (b)(7)(A); (b)(7)(C) sent an email to (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) On (b)(6); (b)(7)(A); (b)(7)(C) forwarded (b)(6); (b)(7)(A); (b)(7)(C) email to all UC Davis School of Veterinary Medicine email listservs. She prefaced the email by saying in bold, “Forwarding on behalf of (b)(6); (b)(7)(A); (b)(7)(C) to indicate the email came from an authoritative campus actor not from their office. (b)(6); (b)(7)(A); (b)(7)(C) clarified receipt of the email, and stated, “We received your announcement about events regarding ‘Countering Antisemitism.’ I hope that you will be similarly willing to use your platform to announce educational events aimed at countering anti-Arab and anti-Palestinian racism,” and proceeded to notify (b)(6); (b)(7)(A); (b)(7)(C) of upcoming events. An hour or so later, (b)(6); (b)(7)(A); (b)(7)(C) received an automated message from (b)(6); (b)(7)(A); (b)(7)(C) email after requesting he and other administrators forward one of those events, called “Palestine Now Teach-in Part 3: A Discussion with it Francesca Albanese UN Special Rapporteur on the Occupied Territories,” stating, “I am currently out of the office. If the matter is urgent please contact my (b)(6); (b)(7)(A); (b)(7)(C) He had already emailed (b)(6); (b)(7)(A); (b)(7)(C) He was, again, ignored and dismissed and never received a reply, let alone justification for why his email was not forwarded out. An overt and blatant anti-Arab and anti-Palestinian racist double standard exists at UC Davis.

On (b)(6); (b)(7)(A); (b)(7)(C) emailed all UCD upper administrators, as well as Deans, including (b)(6); (b)(7)(A); (b)(7)(C) about April's Arab American Heritage Month and all of the lectures, workshops, and activities planned for this month by students and faculty. This month, as reiterated by President Biden in his March 29th Proclamation on Arab American Heritage Month, 2024, and permanently designated for April by the California State Assembly, commemorates Arab and Arab American survival and survivance. (b)(6); (b)(7)(A) and his office, as well as other Deans and administrators, have not notified the campus of this month's significance, nor did they forward this email out to the (b)(6); (b)(7)(A) school, depriving them of educational and cultural resources while advertising events and courses associated with Zionist and Israeli interests as well as with other months-of-note, including Black History Month.

#### F. UC Office of the President: Bias and Bigotry Funding

In her last (b)(6); (b)(7)(A); (b)(7)(C) email to (b)(6); (b)(7)(A); (b)(7)(C) also stated that while DEI policies were in flux, "the mechanism that we are using is a championing of the UCOP Phase 2 proposals that have been submitted. The process requests comments, and I have been encouraging groups to read the proposals (including your proposed teaching series!) and to use that mechanism as a means of engaging (many) others to comment and share their support."<sup>32</sup> She was referring to UC Office of the President funding that was available for student projects combating Bias and Bigotry on campus. (b)(6); (b)(7)(A) had submitted a proposal for programming on Palestine titled "Addressing Bias and Bigotry - Teaching Palestine Educational Series," for which the Davis Graduate, Medical, Veterinary, and Medical Students for Palestine, Students for Justice for Palestine (SJP), and dozens of other student and departmental organizations were partners. Both (b)(6); (b)(7)(A) and another (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) told (b)(6); (b)(7)(A) that the comment system was very important for the funding, and the more comments his proposal received the better his chances of getting funded.

(b)(6); (b)(7)(A) was confused as to how the commenting system for a series that would not take place until the following year, and only if it was funded, was a substitution for sharing events that were taking place in the current academic term. However, he took the advice and shared information about the proposal and commenting system with his community. On (b)(6); (b)(7)(A); (b)(7)(C) received an email from (b)(6); (b)(7)(A); (b)(7)(C) saying that the committee had decided not to fund his proposal.<sup>33</sup> (b)(6); (b)(7)(A) shared the community comments (b)(6); (b)(7)(A) proposal had received and said that while the comments had been distributed to the committee, they had not played a role in the decision making. (b)(6); (b)(7)(A) was disheartened to learn that the commenting system that had been held up to him by (b)(6); (b)(7)(A) and other administrators as an alternative to DEI sharing campus events about Palestine

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<sup>32</sup> Attachment L

<sup>33</sup> Attachment M

had been another dead end, as the committee had apparently not even taken the comments into strong consideration.

(b)(6); (b)(7)(A) was further discouraged to see that the community comments on his proposal displayed intense racial hostility towards Palestine, Palestinians, and Arab people.<sup>34</sup> Amongst other things, the comments stated that SJP was “radical,” “violent,” and tied to “terror organizations;” that the proposal was for “liberated ethnic studies” curriculum rejected by the state; and that the use of “colonization” and “oppression” to speak about Palestine was “loaded and inappropriate” and had a “political agenda.” (b)(6); (b)(7)(A) was disgusted by the racist tropes painting Arab and Palestinian students as terrorists, the dismissal of the importance of ethnic studies curriculum on university campuses, and the reduction of his identity as an Arab-American student to a “political agenda.” The university had refused to promote existing courses teaching Palestinian and Arab perspectives, forcing him instead to (b)(6); (b)(7)(A); (b)(7)(C) if he wanted Arab and Palestinian students to be able to learn about their peoples and identity. When he did so, he was smeared by anonymous community members who told the committee his proposal was “loaded and inappropriate.”

(b)(6); (b)(7)(A) was not sure who to believe: (b)(6); (b)(7)(A); (b)(7)(C) and other administrators, who told him the comments were a meaningful way for the community to influence the UCOP proposals, or (b)(6); (b)(7)(A) who told him the comments did not matter. If the first, the committee had made their decision based on racist comments that blatantly sought to silence Arab and Palestinian educators, and if the latter, he had been silenced by DEI and UCOP while trying to educate the campus community about Palestine. Someone was lying. Again, (b)(6); (b)(7)(A) was left feeling like there was nowhere on campus that would invest in his community or in combating anti-Arab and anti-Palestinian racism. No matter how many administrators or committees he told his story to, no matter how many proposals he drafted, and no matter how much he was willing to engage the university through its own processes, he was being cut down by bureaucratic racism. He was sent through a rigamarole only to be denied access to university listservs and resources as well as being denied recognition of the value of Palestine educational programming at UCD, itself a form of censorship, restriction, and discrimination under the ruse of a fair and equal process.

## G. Instances of Harassment Against (b)(6); (b)(7)(A)

### *1. UAW Meeting & Grad Student Stalking*

On (b)(6); (b)(7)(A); (b)(7)(C) was (b)(6); (b)(7)(A); (b)(7)(C) meeting on UCD campus. (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) During the meeting, a man sitting in

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<sup>34</sup> Attachment N

front of (b)(6); (b)(7)(A) turned around to face (b)(6); (b)(7)(A); (b)(7)(C) did not know the man and had never seen or spoken to him before.

The man told (b)(6); (b)(7)(A) that he had attended the teach-in (b)(6); (b)(7)(A); (b)(7)(C) and that both the event and (b)(6); (b)(7)(A) were racist because no Jewish people had spoken at the event (this was untrue, as a Jewish faculty member had spoken at the event). The man said that (b)(6); (b)(7)(A); (b)(7)(C) (b)(6) all Israelis were victims of Arab terrorists. He (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C)

The man went on to say that (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C). Since this interaction, (b)(6); (b)(7)(A); (b)(7)(C) has seen him on campus staring at him while he sat and (b)(6); (b)(7)(A); (b)(7)(C) or repeatedly walking back and forth in front of the windows of classrooms where (b)(6); (b)(7)(A); (b)(7)(C) was (b)(6); (b)(7)(A); (b)(7)(C) and staring at (b)(6); (b)(7)(A); (b)(7)(C) filed an HDAPP report about the incident at the UAW meeting and the times he felt surveilled by the man on campus. He did not know the man's name but reported the incident as harassment and discrimination by another male graduate student in attendance at a (b)(6); (b)(7)(A); (b)(7)(C) meeting, after the incident occurred. (b)(6); (b)(7)(A); (b)(7)(C) wrote that he felt like "a verbal punching bag" while the man harassed him, and "a receptacle for his hate and disdain for Arabs and Palestinians."

On (b)(6); (b)(7)(A); (b)(7)(C) emailed (b)(6); (b)(7)(A); (b)(7)(C) and told him, again, that HDAPP can only respond to complaints about current UCD faculty, staff, or students, and that his complaint did not fall within any of those categories, so there was nothing they could do.<sup>35</sup> (b)(6); (b)(7)(A); (b)(7)(C) believed the person who harassed him was a graduate student, as the incident had occurred at a (b)(6); (b)(7)(A); (b)(7)(C) though he did not know his name. If HDAPP is not equipped to handle incidents of harassment when the perpetrator is not known to the person they are harassing, then a large percentage of incidents will go unanswered by HDAPP and UCD.

## 2. Asian American Studies Teach-In

On (b)(6); (b)(7)(A); (b)(7)(C) the Asian American Studies (ASA) Department held a teach-in about Palestine for ASA students. (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) In pursuit of genuine discussion, the panelists shared a statement from the Association for Asian American Studies about Palestine and an academic article so that everyone present could participate.

When the event was opened up for questions from the audience, an older man who had been sitting next to (b)(6); (b)(7)(A); (b)(7)(C) introduced himself as (b)(6); (b)(7)(A); (b)(7)(C) and criticized the readings. He accused the Asian American Studies Department of misrepresenting the conflict. He said, "You all don't know what you're talking about, and are detached from reality" because Jews are indigenous to the Middle East. He said the ASA statement was racist because it didn't say anything

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<sup>35</sup> Attachment O



about (b)(6); (b)(7)(C) presumably Jewish people indigenous to the Middle East. Students afterwards complained about the hostile learning environment created by this imposing man at the teach-in, which had itself been organized as a result of ASA majors wanting to have an honest conversation about Palestinian freedom and Asian American Studies, and the hostile anti-Arab and anti-Palestinian campus climate they experienced as non-Arab and non-Palestinian Asian American students.<sup>36</sup>

(b)(6); (b)(7)(A) did not know who the man was. He listened to what the man had to say, and once the event ended, he approached the man. He told him he knew of many great books and sources about Jewish history in the Middle East that he'd be happy to share if the man wanted to learn more. The man responded that (b)(6); (b)(7)(A); (b)(7)(C)

The man asked (b)(6); (b)(7)(A) to (b)(6); (b)(7)(A);

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

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

After this interaction, (b)(6); (b)(7)(A) learned that the man was (b)(6); (b)(7)(A); (b)(7)(C) and that he was infamous on campus for (b)(6); (b)(7)(A); (b)(7)(C)

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

is known to attend many events led by students and faculty about Palestine to harass students and lambast them with the same accusations he threw at

(b)(6); (b)(7)(A); (b)(7)(C) He is often seen on campus (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6); (b)(7)(A) Hillel explicitly engages in "on-campus Israel advocacy,"<sup>37</sup> sponsors birthright trips to Israel, and encourages students to study about at the Hebrew University of Israel through the UC Education Abroad Program, which may itself permit disparate and discriminatory treatment of Palestinians, Arabs, Muslims, and others who are discriminated against on the basis of race, nationality, ethnicity, religion, and political affiliation by the state of Israel. (b)(6); (b)(7)(A) does not know what (b)(6); (b)(7)(A) affiliation with Hillel is. After learning that many other students had had similar encounters with (b)(6); (b)(7)(A); (b)(7)(C) decided to file an HDAPP report about the incident.

On (b)(6); (b)(7)(A); (b)(7)(C) an HDAPP coordinator emailed (b)(6); (b)(7)(A) and told him that HDAPP can only respond to complaints about current UCD faculty, staff, or students, and that his complaint did not fall within any of those categories, so there was nothing they could do.<sup>38</sup> (b)(6); (b)(7)(A) had seen (b)(6); (b)(7)(A) on campus (b)(6); (b)(7)(A); (b)(7)(C) and had encountered (b)(6); (b)(7)(A) many times at campus meetings and events. (b)(6); (b)(7)(A) contacted HDAPP because he was told that that was where he should report incidents of harassment and discrimination on campus, but was left without a resolution.

<sup>36</sup> A faculty member who was present is known to the complainant and willing to speak to OCR

<sup>37</sup> See <https://hillelhouse.org/israel>

<sup>38</sup> Attachment P

### 3. Graduate Anti-Racism Symposium: Virtual Roundtable Presentation on Race and Speech

On (b)(6); (b)(7)(A); (b)(7)(C) with (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) as part of UCD's 4th Annual Graduate Anti-Racism Symposium. The (b)(6); (b)(7)(A); (b)(7)(C) At the outset of the event, UCD (b)(6); (b)(7)(A); (b)(7)(C) faculty (b)(6); (b)(7)(A); (b)(7)(C) used the built in Q&A function to ask if the (b)(6); (b)(7)(A); (b)(7)(C) was being recorded. He was informed by an event organizer that it was not, and he requested if he could record it on his local computer. (b)(6); (b)(7)(A); (b)(7)(C) was informed by the host that "Graduate Studies will not be recording this session nor allow individuals to locally record this session to preserve the openness and integrity of the conversation this session invites." Later in the session, (b)(6); (b)(7)(A); (b)(7)(C) used the Q&A function to ask a series of questions to speakers, including (b)(6); (b)(7)(A); (b)(7)(C) implying that their discussion disregarded the existence of antisemitism.<sup>39</sup>

(b)(6); (b)(7)(A); (b)(7)(C) started by asking whether Jewish voices would be included in the symposium, citing a concern with a purported "uprise [sic] of antisemitism on campus..." Two minutes later he asked (b)(6); (b)(7)(A); (b)(7)(C) if "Jewish Zionist students, faculty and staff have a space in (b)(6); (b)(7)(A); (b)(7)(C) vision of multiculturalism [sic]." It was clear at this point that (b)(6); (b)(7)(A); (b)(7)(C) was not interested in the content of the (b)(6); (b)(7)(A); (b)(7)(C) because he was not paying attention to the substance of (b)(6); (b)(7)(A); (b)(7)(C) comments, which actually advanced a critique of multiculturalism. Later, (b)(6); (b)(7)(A); (b)(7)(C) asked the speakers whether they thought "that antisemitism is a problem on the rise that needs to be addressed? Do panel members recognize antisemitism as a form of anti-Jewish bigotry that comes from both extreme ends of the political spectrum [sic]?" Finally, (b)(6); (b)(7)(A); (b)(7)(C) directly asked (b)(6); (b)(7)(A); (b)(7)(C) if she suggested that Israel should not exist as a homeland for the Jewish people. It was clear to (b)(6); (b)(7)(A); (b)(7)(C) other participants, and attendees that (b)(6); (b)(7)(A); (b)(7)(C) understood that their perspectives on Zionism differed, and instead of dialoguing with the speakers, (b)(6); (b)(7)(A); (b)(7)(C) sought to either harass and distract both participants and attendees, thereby keeping them from accessing the educational programming they had gathered to enjoy, or pressure participants into making statements he could then use to smear, defame, and further harass members of the UCD community.

(b)(6); (b)(7)(A); (b)(7)(C) assertions that the panel was antisemitic because it included (b)(6); (b)(7)(A); (b)(7)(C) who spoke about their research specialties and their own experiences as (b)(6); (b)(7)(A); (b)(7)(C) on campus, is an example of the (b)(6); (b)(7)(A); (b)(7)(C) racism prevalent at UC Davis. There was an open and implied threat of doxing by his request to record the event, meant to intimidate the panelists. The event was advertised as being for UC Davis graduate students, and a lunch was provided afterwards for graduate and postdoctoral students. A separate anti-racism symposium event occurred previous to this one specifically for faculty. That the UC Davis organizers of this event allowed the fear-mongering and racist comments to go on

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<sup>39</sup> Attachment Q

as long as they did is an unacceptable abdication of their responsibility to prevent discrimination and harassment.

In the aftermath of this incident, at least one UCD faculty member, (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) reported (b)(6); (b)(7)(A) through UCD's HDAPP office. (b)(6); (b)(7)(A) after witnessing and experiencing the inefficacy of the HDAPP process, did not file a report.

### **III. Veterinary School**

Palestinian, Arab, and Muslim (and those perceived to be) students and residents at the UC Davis School of Veterinary Medicine (hereinafter "SVM"), as well as allies to them, have experienced discriminatory treatment of their organizing efforts through disparate application and implementation of policy guidelines; they have been treated as if they pose a security threat purely based on their identity while being silenced and excluded as a result of their actual and perceived national-origin. Palestinian, Arab, and Muslim veterinary students and residents have faced egregious and vulgar harassment by faculty, staff, and other community members. As a result, students and residents have felt unsafe, unsupported, and targeted based on their identities. Due to this hostile environment, these students and residents at the Veterinary School are unable to benefit equally from educational and employment opportunities to which they are entitled, in clear violation of Title VI.

The following section focuses on the accounts of Resident A,<sup>40</sup> a staff member, student (b)(6); (b)(7)(A) (b)(6); (b)(7)(A) as well as Students F and G at the SVM. Resident A's accounts are included to demonstrate how harm upon a resident of this protected class coincides with and compounds the hostility and harms experienced by students. Discrimination against and harassment of a resident informs pre-residency students that the same hostile treatment can and will be applied to them should they remain at UCD, and that the SVM's residency program maintains a racially hostile and unsafe environment. Additionally, much of the organizing at the SVM includes collective efforts by Resident A, (b)(6); (b)(7)(A) and Students F and G.

#### **A. Censorship of Palestinian Voices by the Vet-Med Community**

##### ***1. Censorship by Vet-Med Leadership***

On (b)(6); (b)(7)(A); (b)(7)(C) Resident A sent an email to (b)(6); (b)(7)(A); (b)(7)(C) inviting him to the aforementioned October teach-in and asking him to distribute the flier among the Vet-Med community. Resident A received a response from (b)(6); (b)(7)(A); (b)(7)(C) informing her that the information would be "shared with the leadership team."

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<sup>40</sup> Resident A is known to complainants and willing to speak with OCR, but, for fear of retaliation, is unwilling to have her name shared with UCD as a complainant.

Resident A also emailed members of the House Officer Advisory Board (Hereinafter “HOAB”), an advisory group of faculty, residents, and interns, to distribute the flier for the event. (b)(6); (b)(7)(A); (b)(7)(C) responded to Resident A’s request stating that she had “run this by [the] hospital leadership, and [they] have a policy that [they] do not advertise events regarding events or issues that involve politics ... [they are] trying to keep [the] hospital’s focus on veterinary medicine.”,

Resident A, confused by (b)(6); (b)(7)(A); (b)(7)(C) response, emailed back informing her that the panel was put together by UCD faculty and had already been distributed to other departments across the school. Additionally, Resident A expressed her confusion to (b)(6); (b)(7)(A); (b)(7)(C) asking her why the school did not care about the ongoing genocide and explaining that what was occurring was not a political matter, but a humanitarian crisis, to which (b)(6); (b)(7)(A); (b)(7)(C) responded: “I agree that there is a humanitarian crisis occurring right now. I did some homework, and if you would like to request a school-wide communication in the future, you can send it to [svmcommunication@ucdavis.edu](mailto:svmcommunication@ucdavis.edu).”

Hence, Resident A did as directed and emailed the flier to the address provided. She then received a response from (b)(6); (b)(7)(A); (b)(7)(C) who told her that they “don’t tend to distribute non-SVM [School of Veterinary Medicine] related emails to the school-wide lists.” Resident A followed up with (b)(6); (b)(7)(A); (b)(7)(C) informing him that she was directed to email [svmcommunication@ucdavis.edu](mailto:svmcommunication@ucdavis.edu) by (b)(6); (b)(7)(A); (b)(7)(C) herself. (b)(6); (b)(7)(A); (b)(7)(C) reiterated (b)(6); (b)(7)(A); (b)(7)(C) statement that they do not distribute information about “events or issues of political matters.” Yet, past mass emails sent to the Vet-Med community included discussions on political issues, such as the situation in Ukraine and the Uvalde shooting.<sup>41</sup>

Resident A, frustrated, responded by stating her disappointment with the Vet-Med leadership for misguiding her and censoring this event despite the teach-in being co-hosted by UC Davis faculty and various undergraduate, graduate, and professional school departments and organizations. She additionally expressed the lack of support she felt (b)(6); (b)(7)(A); (b)(7)(C).

Censorship by Vet-Med leadership is ongoing. On (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) MENASA Vets, a student organization for Middle Eastern, North African, and South Asian (MENASA) students, faced similar censorship when she attempted to inform the vet community of Arab-American Heritage Month events co-hosted by their RSO and occurring on campus in April of 2024. She emailed [svmcommunication@ucdavis.edu](mailto:svmcommunication@ucdavis.edu) to share the flier.<sup>42</sup> Once again, (b)(6); (b)(7)(A); (b)(7)(C) informed (b)(6); (b)(7)(A); (b)(7)(C) that “Our schoolwide emails are limited to official/school related communications, subject to our guidelines and university policies.” (b)(6); (b)(7)(A); (b)(7)(C) responded by asking (b)(6); (b)(7)(A); (b)(7)(C) to explain why the Arab American Heritage Month email was

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<sup>41</sup> Attachment R

<sup>42</sup> Attachment S

censored when other emails regarding cultural events have been shared.<sup>43</sup> She also forwarded the email to (b)(6); (b)(7)(A); (b)(7)(C)

As recently as the date of this complaint letter's transmission, (b)(6); (b)(7)(A); (b)(7)(C) notified (b)(6); (b)(7)(A) that:

After consultation with campus and with the school leadership, and to comply with our electronic communication guidelines, we unfortunately cannot send the announcement you proposed as a standalone email. However, we will include the Arab American Heritage Month with a link to the events in our weekly school wide Activities & Impacts newsletter, (b)(6); (b)(7)(A), and the school leadership also plan to review our communication policies and how to best inform the members of our community on these policies. We hope that you will find this alternative for schoolwide announcement of the events satisfactory.

Instead of notifying (b)(6); (b)(7)(A) as to why her proposed message did not comply with electronic communication guidelines, (b)(6); (b)(7)(A) treated the student organization to which (b)(6); (b)(7)(A) belongs as unworthy of the same treatment that other organizations receive.

## *2. Censorship by Other Residents*

On (b)(6); (b)(7)(A); (b)(7)(C) Resident A once again experienced pushback and exclusion for (b)(6); (b)(7)(A); (b)(7)(C). The UC Davis School of Veterinary Medicine residents had the option of participating in a collective Halloween costume. Each participating resident had the option to print a medicine-related phrase on their shirt. On (b)(6); (b)(7)(A); (b)(7)(C) Resident A requested her shirt contain the phrase (b)(6); (b)(7)(A); (b)(7)(C). The (b)(6); (b)(7)(A); (b)(7)(C) informed Resident A that she felt uncomfortable making a shirt with that phrase and that the shirts should instead have a "medicine-related phrase." Resident A responded that she was not sure why the phrase was unrelated to medicine and informed the resident that there are thousands of animals affected amid the ongoing massacres against Palestinians. Resident A even offered the phrase (b)(6); (b)(7)(A); (b)(7)(C) as an alternative. Instead of allowing Resident A to participate as an equal member of the Vet-Med community, the resident provided Resident A with a blank shirt. Resident A consequently wrote the phrase (b)(6); (b)(7)(A); (b)(7)(C) on her blank shirt.

## *3. Dismissive and Offensive Response by Faculty to Resident Concerns*

On (b)(6); (b)(7)(A); (b)(7)(C) Resident A attended a HOAB meeting where she expressed her concern over how the school had handled the assault on Gaza. She shared about the collective pushback she received from the resident, from the administration for trying to share Palestine-related events, and the continued silence from (b)(6); (b)(7)(A); (b)(7)(C) over letters she and other students had written in response to a one-sided statement he had sent out on October 11th. She expressed how these incidents made her feel

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<sup>43</sup> Attachment T

as if UC Davis' Principles of Community did not apply to her. She specifically pointed out how she had not received mutual respect, had been discriminated against, and how her freedom of expression had not been protected.<sup>44</sup>

At the same meeting, after Resident A had described what she had experienced, (b)(6); (b)(7)(A); (b)(7)(C) asked if he could "chime in." (b)(6); (b)(7)(A); (b)(7)(C) Everyone on the board (b)(6); (b)(7)(A); (b)(7)(C) He challenged Resident A by asking her if she had ever been there. She understood that to mean whether or not she had been to Palestine. She responded by telling him about the treatment of Palestinians and the discrimination they faced in their homeland. He interrupted her, stating, "I wasn't asking about your personal experience. I was asking about the teach-in." He then continued to state that he found the teaching "very biased and inaccurate." She asked what exactly was inaccurate since she had found it educational and informative and appreciated hearing from UC Davis faculty who were experts in the field.

Other faculty members rushed to end this contentious interaction and offered as a respectful solution that they would follow up with (b)(6); (b)(7)(A); (b)(7)(C) regarding the letters that had been sent. The faculty then asked (b)(6); (b)(7)(A); (b)(7)(C) if their proposed solution was okay. He agreed but insisted that he be informed if further actions were taken and about any other events hosted or promoted by Resident A. Resident A responded that she had the right to hold events and do whatever she wanted. He responded that he did too.

Following these three events, Resident A felt repressed. She wondered if other residents received as much pushback for merely wanting to share Palestinian events or for exercising their freedom of speech. When she was able to use her opportunity as (b)(6); (b)(7)(A); (b)(7)(C) to share her experiences, she was belittled and dismissed by a faculty member with significant authority and control over residents and students. Unfortunately, this hostile treatment continued.

## B. Ongoing Harassment by Vet-Med Faculty and Staff

### *1. November 9, 2023 Walk-Out*

On November 9th, (b)(6); (b)(7)(A); (b)(7)(C) other Professors, staff, and unknown community members from the Vet-Med faculty were seen harassing students on campus.<sup>45</sup> On that day, a walkout was staged in solidarity with Palestine. Around thirty-five SVM students and residents peacefully walked onto the lawn at the center of the Vet-Med Campus. Community members spoke about the violence in

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<sup>44</sup> See UC Davis Principles of Community,

<https://diversity.ucdavis.edu/sites/g/files/dgvnsk731/files/inline-files/pocreaffirmed042015.pdf>

<sup>45</sup> Attachment U

Palestine, their own personal connections as Palestinians, and how it all related to veterinary education and their institution, UCD.

The peaceful demonstration was met with a counter-protest composed of [REDACTED] people. The counter protestors included: [REDACTED] other individuals who could not be identified. The faculty members included [REDACTED] [REDACTED] The staff [REDACTED] The [REDACTED] who had been seen at previous events, but is not a faculty member, staff member, or student at UC Davis. At this event, in addition to approaching students on foot, [REDACTED]

During the speeches, counter protestors held signs and shouted at the students and residents. The following insults were hurled:

- ❖ “He [one of the student speakers] doesn’t know what he’s talking about”
- ❖ “You guys are stupid and don’t know history”
- ❖ “Women can’t be doctors in Gaza”
- ❖ “The IDF has woman soldiers who will liberate the Palestinian women”
- ❖ “ Hamas will kill and rape you all”

Comments heard from specific counter-protestors included:

- ❖ From [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
- ❖ From [REDACTED]
  - [REDACTED]
- ❖ From [REDACTED]
  - [REDACTED]
  - [REDACTED]
- ❖ From [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]

➤ (b)(6); (b)(7)(A); (b)(7)(C)

While these statements were heard from the counter-protesters, multiple faculty who were seen passing the event witnessed the harassment towards students and residents and failed to intervene. One of the passing faculty members was (b)(6); (b)(7)(A); (b)(7)(C) himself.

Despite this, students and residents continued with their demonstration and did not engage with the counter protestors. At one point, the demonstrators held a moment of silence for all the lives lost. During this time, (b)(6); (b)(7)(A); (b)(7)(C) walked around in a circle and (b)(6); (b)(7)(A); (b)(7)(C). He taunted the students and residents (b)(6); (b)(7)(A); (b)(7)(C).

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

After the event, (b)(6); (b)(7)(A); (b)(7)(C) Student F, spoke with the attendees to thank them for coming to the event. The attendees were visibly upset and informed Student F that they were afraid to go to class because (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) were their current professors. As Student F and these other students left the lawn, (b)(6); (b)(7)(A); (b)(7)(C) followed them and yelled, (b)(6); (b)(7)(A); (b)(7)(C).

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

Later on, several people in (b)(6); (b)(7)(A); (b)(7)(C) with (b)(6); (b)(7)(A); (b)(7)(C) told the organizers that, during class, (b)(6); (b)(7)(A); (b)(7)(C) asked if anyone knew which students were at the demonstration. After this incident, many students and residents were afraid to participate in any actions or events demonstrating solidarity with Palestinians. Students and residents felt threatened by these professors and staff but were also disappointed that such vitriolic behavior was supported by other faculty and (b)(6); (b)(7)(A); (b)(7)(C). The walkout and harassment lasted over an hour, and no faculty, staff, or even (b)(6); (b)(7)(A); (b)(7)(C) did anything to end the violent and assaultive behavior. Hearing that (b)(6); (b)(7)(A); (b)(7)(C) was asking for students' identities also heightened the fear that students were being targeted. These students and residents no longer felt they could properly learn and speak up given the unsafe environment created and enforced by these professors and staff. Students also wondered why the school failed to protect them from harassers who had no affiliation to the SVM or the larger campus in general.

Following the event, (b)(6); (b)(7)(A); (b)(7)(C) emailed students regarding the walkout.<sup>47</sup> He falsely claimed that both groups had been shouting at each other. He wrote: "But we can make our local community less divided by understanding each other's heritage and motivations ... Unless we make a conscious effort to better understand the basis of each other's feelings and actions, the situation will continue to deteriorate." (b)(6); (b)(7)(A); (b)(7)(C) email, sent to the entire first-year student body without any hindrance, perfectly demonstrated to Palestinian, Arab, and Muslim students and staff

<sup>46</sup> (b)(6); (b)(7)(A); (b)(7)(C)

<sup>47</sup> Attachment V



that the dissemination of messages via UCD communications channels would be permitted so long as the sender was not a Palestinian, Arab, Muslim, or an ally attempting to provide educational resources to their community.

## 2. HDAPP Reports

In response to the November 9th incident, (b)(6); (b)(7)(A); (b)(7)(C) filed HDAPP reports. The (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) Student F, (b)(6); (b)(7)(A); (b)(7)(C) did not report to HDAPP because she doubted the school would take any action.

On (b)(6); (b)(7)(A); (b)(7)(C) Student G received an introductory email from (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) In this same introductory email, (b)(6); (b)(7)(A); (b)(7)(C) asked questions about the report he submitted. On (b)(6); (b)(7)(A); (b)(7)(C) Resident A received an introductory email with questions from (b)(6); (b)(7)(A); (b)(7)(C) Feeling discouraged and defeated by the SVM's failure to support them, and that it should be the University's job to investigate this egregious incident without retraumatizing the recipients of the vulgar harassment, neither Student G nor Resident A responded to (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) received no follow up questions based on her report.

On (b)(6); (b)(7)(A); (b)(7)(C) after the walkout, students finally received a final decision on their HDAPP reports. HDAPP closed the cases and told (b)(6); (b)(7)(A); (b)(7)(C) that the harassment was not severe or pervasive enough. "Mitigating measures" were deemed the appropriate response. HDAPP informed Resident A, (b)(6); (b)(7)(A); (b)(7)(C) and Student G that "in this process, [HDAPP was] not able to provide information regarding what specific action will be taken to address the concern(s)."

Frustrated, Resident A asked (b)(6); (b)(7)(A); (b)(7)(C) to clarify why such unprofessional, Islamophobic, and anti-Arab behavior by faculty and staff was not considered a policy violation. She told (b)(6); (b)(7)(A); (b)(7)(C) that even (b)(6); (b)(7)(A); (b)(7)(C) found the incidents concerning and in need of intervention. Resident A shared that it was hard to feel reassured without knowing what mitigation efforts would take place. She informed (b)(6); (b)(7)(A); (b)(7)(C) that one of the individuals she was harassed by continued to (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) responded with the following:

We fully understand your frustration and we are in agreement that the behavior reported is unprofessional and inappropriate. However, to constitute a violation of policy, the behavior needs to be severe, persistent, or pervasive *and* it must unreasonably deny, adversely limit, or interfere with a person's participation in or benefit from the education, employment or other programs or activities of the University, *and* create an environment that a reasonable person would find to be intimidating or offensive. The behavior alleged simply did not reach the level spelled out above. That does not mean it was appropriate; in fact, we did take action to address the behavior as shared below.

HDAPP claimed that the actions were not "severe or pervasive" enough, yet students and residents have continuously felt that they cannot benefit from the education and employment opportunities provided or facilitated by the University given the hostile environment that the school has allowed to persist.

On (b)(6); (b)(7)(A); (b)(7)(C) Resident A reached out to (b)(6); (b)(7)(A); (b)(7)(C) about (b)(6); (b)(7)(A); (b)(7)(C). The (b)(6); (b)(7)(A); (b)(7)(C) informed Resident A that she would forward the email to hospital leadership. (b)(6); (b)(7)(A); (b)(7)(C) who responded to Resident A's request informed her that "(b)(6); (b)(7)(A); (b)(7)(C) under these circumstances. Concerns of this nature should be handled with the Harassment and Discrimination Assistance and Prevention Program (HDAPP) on campus." Frustrated, Resident A explained that she could not understand how hospital leadership could continuously support someone who is harassing (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) She also informed (b)(6); (b)(7)(A); (b)(7)(C) that she had already filed an HDAPP report. (b)(6); (b)(7)(A); (b)(7)(C) responded by stating she had contacted HDAPP about Resident A's report.

On (b)(6); (b)(7)(A); (b)(7)(C) Resident A attended Chancellor Gary May's "office hours" to share her experience and express her disappointment over being harassed and discriminated against in her workplace. (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) were also present at these office hours. Resident A shared her experiences to Chancellor May in front of them, but never mentioned their names as the perpetrators. Resident A brought up her concerns about the silencing of Palestinian voices at the SVM, the handling of the walkout, the response to the vigil, the Koret Exchange Program<sup>48</sup>, and the newly formed Jewish Climate Advisory Council<sup>49</sup> and its inaccurate and highly contested definition of antisemitism. After (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) left, Resident A informed Chancellor May that they were the faculty involved in the incidents she had mentioned. She also informed the Chancellor that (b)(6); (b)(7)(A); (b)(7)(C) was the faculty who had created the Jewish Climate Advisory Council. Chancellor May told Resident A that he would address the concerns with (b)(6); (b)(7)(A); (b)(7)(C) and that he shared her concerns about the conflation of anti-zionism and antisemitism.

When Resident A finally received her HDAPP case decision, she felt defeated. There was no avenue or care by the school to ensure her safety from this perpetrator. Neither the SVM administrators, the HDAPP office, nor Chancellor May did anything to address her fears and concerns.

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<sup>48</sup> The Koret Exchange Program leads an exchange between Hebrew University and the SVM. The program systematically discriminates against Palestinian, Arab, and Muslim students, faculty, or staff who would either be barred from participating or would face discriminatory harassment and detention while participating in the activities of the program. This semester, SVM faculty have been recruiting faculty using UCD communications channels to attend an upcoming research trip to the Koret School of Veterinary Medicine scheduled for April 16-17, 2024.

<sup>49</sup> Attachment W

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

(b)(6); (b)(7)(A); (b)(7)(C) At the discussion-based session there were (b)(6); (b)(7)(A); (b)(7)(C) people in attendance including Resident A, (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) constantly challenged (b)(6); (b)(7)(A); (b)(7)(C) with questions and sat amused with a smirk on his face, indicating that he was not there to engage in dialogue, but to derail, distract, and prevent others from accessing the UCD resource. (b)(6); (b)(7)(A); (b)(7)(C) could not learn or engage in the session because (b)(6); (b)(7)(A); (b)(7)(C) had been combative from the outset.

That same day Resident A met with (b)(6); (b)(7)(A); (b)(7)(C) to express her ongoing concerns. She focused on the untimeliness of the Koret Exchange Program's<sup>50</sup> upcoming trip and the new Jewish Climate Advisory Council (b)(6); (b)(7)(A); (b)(7)(C) She expressed her concerns with the Council's definition of antisemitism and attempts by members of the council to use it to impose their political opinions on the entire Vet School. (b)(6); (b)(7)(A); (b)(7)(C) proposed she make a Palestine Climate Council, but she informed him that her concern was over the definition. OCR should investigate whether the "Jewish Climate Advisory Council" or any of its members has engaged in behavior akin to establishing a prior-restraint on programming and publications related to Palestine or Israel in the SVM.

On (b)(6); (b)(7)(A); (b)(7)(C) Resident A participated in this year's (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) At this (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) When Resident A (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) She felt extremely uncomfortable and knew she (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) During the presentation, (b)(6); (b)(7)(A); (b)(7)(C) Resident A. The (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) Resident A understood this to be a purposeful act by (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) given his continuous harassment of her and other students.

Student G also experienced constant harassment from (b)(6); (b)(7)(A); (b)(7)(C) Following the walkout, Student G attended (b)(6); (b)(7)(A); (b)(7)(C) where (b)(6); (b)(7)(A); (b)(7)(C) overtly glared at him throughout. After this incident, Student G felt pressured to stop attending classes led by (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) for fear of further intimidation and harassment. For required classes, he kept his interactions with (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) to a minimum. However, he still received hostile glares from these professors to the point that other students in his section noticed and commented on it.

Because of this pervasive harassment, Student G (b)(6); (b)(7)(A); (b)(7)(C) In other classes, he maintained (b)(6); (b)(7)(A); (b)(7)(C) but he did not (b)(6); (b)(7)(A); (b)(7)(C) class because he could not (b)(6); (b)(7)(A); (b)(7)(C) Student G also (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C)

<sup>50</sup> Attachment X

(b)(6); (b)(7)(A); Student G continues to be especially concerned and anxious about these professors (b)(6); (b)(7)(A);  
(b)(6); (b)(7)(A); (b)(7)(C) He believes none of these professors would (b)(6); (b)(7)(A); (b)(7)(C)

The experiences by students and residents who are, or are perceived to be, of Palestinian descent demonstrate the inadequacy of the HDAPP process and the unwillingness of the UCD School of Veterinary Medicine to protect its students from harassment and intimidation from their very own faculty. Students have continued to feel disappointed, defeated, and discriminated against. No matter what avenue they take, the school has continuously failed to support these individuals and provide the non-discriminatory, non-hostile environment to which they are entitled.

### C. Security Measures

#### *1. Students were forced to host an event virtually*

In spite of the hostile climate, students continued to organize programs and events to educate their community about Palestine's history and present. On November 13, 2023, student organizers attempted to book a room on Vet-Med campus for a teach-in with (b)(6); (b)(7)(A); (b)(7)(C)

a faculty member in the (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)

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

(b)(6); (b)(7)(A); stating: "As a fellow member of our professional community, we are asking that you only host this event via zoom and not in person. We would like to mitigate the potential safety concerns; we believe a security plan with campus is necessary for an in-person event of this type." Without clarification, explanation, or an offer to arrange such a security plan, the administrator prevented the vet students from gathering on campus to learn from experts in a field of interest. Additionally, students had printed out fliers for the event to distribute, but later found the fliers in the trash can.

#### *2. Processing Sessions*

Two weeks later, on November 26, 2023, the Dean held "Processing Sessions" aimed at "providing a safe place to process what is happening." There were separate spaces for faculty/staff/residents and another for students, including doctoral candidates and graduate students. There were also separate sessions for Pro-Israeli and Pro-Palestinian groups.<sup>51</sup> (b)(6); (b)(7)(A); attended the Pro-Palestinian student processing session, and was alarmed to find a UC Davis Campus Police Security Guard in full uniform present. There had been no advanced notice that police would be present at the event. As the session continued, the administrator present at the event left. The police officer followed the administrator out, leaving the students to continue the meeting.

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<sup>51</sup> Attachment Y

After these two incidents, student organizers felt singled out by administrators based on their real and perceived national-origins. The apparent concern for security reflected a pattern in which these organizers understood that the Vet Med administration viewed them and their events as threats, which was offensive and alienating to students who had been at the receiving end of harassment by their own faculty while peacefully engaging in education and advocacy activities. Additionally, when these students went through the process of becoming a (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) comments were made stating, “We need to make sure that these events you host are safe for everyone,” insinuating that their national-origins as Middle Eastern, North African, and South Asian students put members of the Vet School in danger.

#### D. Discriminatory Application of School-Policies

On Thursday, December 7, 2023, organizers, including (b)(6); (b)(7)(A); (b)(7)(C) Student F, Student G, and Resident A, held a vigil to commemorate the thousands of Palestinians killed. There were framed pictures of Palestinians, electronic candles, and flowers set up on a table. Students shared stories and words from Palestinians in Gaza. As part of the event, attendees also wrote the names of those martyred on a poster. While the event progressed, (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) who had harassed students and residents at the November 9th walkout, were seen staring at attendees and making phone calls. Attendees then proceeded to place the posters and vigil displays inside Valley Hall,<sup>52</sup> where *ofrendas* and Diwali art displays had previously been laid out.

As the day progressed, (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) informed (b)(6); (b)(7)(A); (b)(7)(C) that they would be asked to remove the vigil because other members of the community found the display antisemitic. Shortly after, (b)(6); (b)(7)(A); (b)(7)(C) the (b)(6); (b)(7)(A); (b)(7)(C) approached (b)(6); (b)(7)(A); (b)(7)(C) and asked if she knew anything about the vigil. He then explained that if student groups wanted to put up displays in Downstairs Valley, they had to email him first. She then proceeded to immediately email (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) to request permission.

(b)(6); (b)(7)(A); (b)(7)(C) then (b)(6); (b)(7)(A); (b)(7)(C) to check if the vigil had been vandalized. She found (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C) preparing to take the vigil display down. (b)(6); (b)(7)(A); (b)(7)(C) finding it strange, asked why they were taking it down. (b)(6); (b)(7)(A); (b)(7)(C) informed her that the vigil violated campus posting policies because the organizers were not affiliated with a Registered Student Organization (RSO).

The following morning, Vet students were informed that the SVM would now be coming into compliance with campus posting policies and would no longer be permitting displays other than event

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<sup>52</sup> Middle Eastern, North African and South Asian Veterinary Students Association

<sup>53</sup> Attachment Z

flyers.<sup>54</sup> The organizers were confused as to why their vigil triggered this response from administrators. There was a general understanding by the Vet-Med community that this area in Valley Hall was an acceptable location to place posters and other displays. Organizers were informed by students in the Latinx Veterinary Medical Association Chapter that they had not asked for permission to set up or take down their *ofrenda* display for Dia De Los Muertos just a month prior, on November 1, 2023. The UC Davis Veterinary School's Instagram even promoted the *ofrenda* display in a social media post.<sup>55</sup>

Additionally, (b)(6); (b)(7)(A) had (b)(6); (b)(7)(A); (b)(7)(C) at the same location in November 2022. She nor the other students (b)(6); (b)(7)(A); (b)(7)(C) had asked for permission to place their display. They had also never been told to take it down for failing to comply with campus posting policies.

On January 26, 2024, the Green Task Force Club, placed a sustainability tree display in the exact spot where the December 7th vigil had been.<sup>56</sup> The tree stayed up until January 29. At no point were any officers of the club contacted by the administration to take it down. On the 29th, the student officers took down the tree themselves when they realized they were violating the posting policy.

On February 29, 2024, (b)(6); (b)(7)(A) and Student G attended, with various student members of other organizations, a Posting Policy Meeting (b)(6); (b)(7)(A); (b)(7)(C). At the meeting, (b)(6); (b)(7)(A); failed to explain why the vigil in particular triggered the administration to want to comply with campus posting policies. They also failed to explain why administrators came in at 9 pm to take it down, and why a different organization, The Green Task Force Club, was permitted to leave their display up for multiple days. (b)(6); (b)(7)(A) and Student G asked (b)(6); (b)(7)(A) what administrators would do to help them feel safe as faculty members had continued to harass them. They did not receive a satisfactory response.

The unequal and discriminatory enforcement of school policies became apparent following the vigil. This sudden application of policies did not reflect the school's purported commitment to comply with broader UCD policies; instead, taken together with the ongoing harassment, it demonstrated the ongoing anti-Palestinian discrimination at the Veterinary School. The SVM has been on notice of these discriminatory acts through official channels, such as HDAPP reports, and unofficial channels, through informal communications with SVM and other UCD leadership, including the Chancellor himself.

#### IV. UC Davis School of Medicine

Palestinian, Arab, and Muslim students at the UC Davis School of Medicine have experienced a range of discriminatory and harassing behavior. Additionally, school response to the humanitarian crisis in Gaza, and the enforced culture of silence surrounding the devastating loss of life has created an

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<sup>54</sup> Attachment AA

<sup>55</sup> Attachment BB or see <https://www.instagram.com/ucdavisvetmed/p/CzHjbYdS8os/>

<sup>56</sup> Attachment CC

environment in which Palestinian and Arab students and their allies are unable to benefit equally from educational opportunities, in violation of Title VI. In the words of one student,

To save human lives is the basis of our entire profession, and this is about protecting the integrity of our institution.... It shouldn't be on students who are already experiencing the emotional toll of medical school and have been left to flounder. It has been reflected in our grades. We are struggling academically, struggling with depression. We want to care for people and help people. It rots your soul to go to class and act like nothing is happening.

Because of the professional culture of the School of Medicine and the medical field more broadly, students are especially afraid of sharing their stories or details of their identities in this complaint. For example, the American Medical Association has refused to declare its support for a ceasefire<sup>57</sup> amidst the ongoing genocide in Gaza, even though it called for a ceasefire regarding Ukraine.<sup>58</sup> Institutions have fostered a culture of silence and repression around this catastrophe in the medical field and its organs of professional training like UCD.

For similar reasons, they have not felt safe enough to file official complaints through UC Davis's internal complaint process. They worry that providing details of specific incidents or interactions with members of the faculty or administration, even anonymously, would lead to an investigation where their identities would be indirectly revealed to those who are mentioned in the complaint. Even though students are aware that they are legally protected from retaliation, they fear other negative professional or academic consequences such as being seen as unprofessional, loss of relationships with potential mentors, or being passed over for future job opportunities. For this reason, the events described here include only a small fraction of what students at the School of Medicine have experienced.

#### a. Humanitarian Drives for Gaza

In response to the humanitarian catastrophe caused by the bombardment of Gaza, the Muslim Medical Student Association (MMSA)<sup>59</sup> organized two humanitarian supply drives. They encountered resistance when they requested that department chairs distribute flyers for the drives over department email listservs, were told that they could not use the phrase "Humanitarian Ceasefire," and were not permitted to use the logo of the Office for Health Equity Diversity and Inclusion (HEDI) for their

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<sup>57</sup> See <https://www.medpagetoday.com/meetingcoverage/ama/107302>

<sup>58</sup> See

<https://www.google.com/url?q=https://www.ama-assn.org/about/leadership/targeting-civilians-and-health-care-war-unconscionable&csa=D&source=docs&ust=1712969407874725&usg=AOvVaw2IwCYRrgMTRpSt6L9IU2QF>

<sup>59</sup> (b)(6); (b)(7)(A); (b)(7)(C) is known to complainants and willing to speak with OCR.

second drive despite similar non-Palestine-related events being permitted to use the logo. Further, school policies were applied unequally as compared to a similar donation drive organized by students in 2022 in response to the war in Ukraine.

### *1. Humanitarian drives for Gaza*

The first humanitarian drive was hosted by MMSA, in partnership with Second Breath, a local cooperative that redistributes medical supplies to areas of need, and HEDI. Requested supplies included food and nutrition-related items like baby formula and electrolyte replacements, and medical supplies like band-aids and suture kits. Collection dates ranged from December 2 to December 9, 2023. Student organizers requested that department chairs distribute event flyers over department listservs, which is common practice at the School of Medicine, but encountered resistance from various chairs.<sup>60</sup> Students were also informed by a faculty member that they could not use the term “Humanitarian Ceasefire” in conjunction with their event, as it could be perceived as offensive or antisemitic. This prohibition went against medical students’ commitment to advocating for healing and the protection of human life, sending the message that members of their community were viewed as disposable and unworthy of protection, and causing frustration and distress that continues to negatively impact them psychologically and impede their ability to receive the full benefit of an education.

The MMSA faced similar obstacles when they organized a second humanitarian drive, running from February 21 to March 9. Two school administrators refused to distribute details of the drive over department listservs, and they were not permitted to use the HEDI logo, despite the fact that other groups have regularly been permitted to use the logo for similar events.<sup>61</sup>

### *2. Unequal treatment in addressing Ukraine crisis but not Gaza crisis*

On April 20 and 21, 2022, in response to the Russian invasion of Ukraine, HEDI hosted a student-organized donation drive to support Ukrainian communities in crisis. Requested donation items included food, general supplies, and home-purchased over-the-counter medical supplies. Details of the event were shared with the entire school community using department listservs.<sup>62</sup>

Following the humanitarian drives for Gaza, members of MMSA approached school administrators to ask why they had been treated differently than the students who organized the donation drive for Ukraine. During a follow-up zoom call one administrator promised to look into school policy regarding publicizing fundraising events. Several weeks later, they replied with a long email listing policies from the UC Davis Department of Development and Alumni Relations.<sup>63</sup> The email stated that student groups cannot use university resources, including email, to promote causes

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<sup>60</sup> See attachment DD000001

<sup>61</sup> DD000005

<sup>62</sup> DD000002

<sup>63</sup> DD000002 - DD000003



that do not directly benefit UC Davis or the School of Medicine. The email also acknowledged that the donation drive for Ukraine may have violated this policy, but the school did nothing to address this violation when it occurred. Clearly, school policy was enforced in an unequal and discriminatory manner against the MMSA.

In addition to supporting the donation drive for Ukraine and not the humanitarian drives for Gaza, the School of Medicine used significantly different messaging in response to each crisis. On February 24, 2022, an email was forwarded to a school listserv sharing news of the invasion of Ukraine and a list of organizations accepting donations to support Ukrainians.<sup>64</sup> On February 25, 2022, the Faculty Development Office forwarded an email on behalf of HEDI titled “A Message on the Ukraine Crisis.”<sup>65</sup> The email opened, “The devastation, terror, and deaths caused by the invasion of Ukraine is difficult to bear. As a community dedicated to health and healing, we call for the cessation of violence and the restoration of safety for all those affected by these terrible events.” The email included a link to an article titled “Want to support the people in Ukraine? Here’s how you can help.” The school’s response to the humanitarian crisis in Ukraine shows that their opposition to the humanitarian drives for Gaza and refusal to allow students to use the word “Ceasefire” do not reflect a desire to maintain political neutrality, but instead reflect a culture of anti-Palestinian discrimination.

#### b. Muslim Medical Student Association Panel Event

The MMSA hosted a panel event on February 12, 2024 with doctors who had worked in Gaza. They encountered resistance when they requested that details of the event be shared over department listservs, and were not allowed to use the HEDI logo. Students were informed that this was due to the fact that one of their speakers was not affiliated with the UC Davis School of Medicine, and instead worked for the University of California, San Francisco. Again, this policy was not enforced for similar events. That same semester, (b)(6); (b)(7)(A); (b)(7)(C) used a school listserv to send an email with the HEDI logo promoting a separate event sponsored by an organization affiliated with the Israeli government, and described as “Israel-Hamas -- how to bridge gaps in the conflict.”

Following these events, students approached UCD Chancellor Gary May to ask why (b)(6); (b)(7)(A); (b)(7)(C) was allowed to use the HEDI logo to promote an event when they were not. Chancellor May expressed some sympathy, responding, “We are aware of this. It is unfortunate and was not sanctioned.” However, he refused to take any further action to address students’ concerns.

#### c. Anonymous Accounts of Anti-Palestinian/Arab/Muslim Racism

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<sup>64</sup> DD000004

<sup>65</sup> DD000003

Two (b)(6); (b)(7)(A); [redacted] at the UC Davis School of Medicine have anonymously shared accounts of hateful, blatantly discriminatory conduct in the months following October 7th, quoted here:

“We use these Vocera walkie talkies to get a hold of everyone in our departments. Usually you push the button and say the name of the person you are reaching. (b)(6); (b)(7)(A); [redacted]

(b)(6); (b)(7)(A); (b)(7)(C) [redacted] He also has said a few other things which I raised to his superior but nothing happened. He (b)(6); (b)(7)(A); [redacted] (b)(6); (b)(7)(A); (b)(7)(C) [redacted] but never got into any trouble for the statements he had made.”

“For no reason at all, my (b)(6); (b)(7)(A); (b)(7)(C) [redacted] I had a meeting with him (b)(6); (b)(7)(A); (b)(7)(C) [redacted] he apologized and I asked not to escalate the matter any further.”

These students are too fearful of experiencing negative repercussions to share more details of these events or their identities. Neither perpetrator faced any disciplinary action. The supervisors and managers perpetrating and/or failing to address this abuse have an enormous amount of power over students’ future careers. Students already fear that their organizing and support for a ceasefire will negatively impact their career prospects. The lack of support from school administrators and faculty, the lack of confidential resources available to students who have faced discrimination but fear retaliation, and the culture of silence at the School of Medicine has caused severe emotional distress, negatively impacted students’ grades, and created an environment where Palestinian students and their allies are not able to receive the full benefits of a UCD education.

## **V. Administrative Response; OCR Complaint by StandWithUs Center for Legal Justice**

### *1. Administrative Response*

On February 16th and February 26th Chancellor May and other administrators met with Palestinian, Arab, and Muslim and allied students, faculty, and community members. In both of these hour-long meetings, students shared much of what has been described in this complaint and requested that administrators take seriously the experiences and needs of their community, which had already been communicated to administrators in numerous ways. Chancellor May responded in a dismissive manner, producing various excuses for inaction and justifying administrative inertia. He directed student concerns around harassment to HDAPP while acknowledging its inefficacy in the face of an avalanche of reports, reporting that he had authorized numerous new hires in the HDAPP office.

Chancellor May attempted to dismiss the particular ways UCD discriminates against Arab and Palestinian students by saying he met with the “other side,” who claimed they faced the exact same

problems. Students contested this, saying these are not parties with equal concerns or access to resources. Zionists and their allies at UCD organize events and are supported at the highest levels of the university while Palestinians and their allies organize educational and anti-racist events and face a cascade of obstacles and threats by the institution and are accused of being antisemitic by members of this institution and a small but vocal community outside it.

When pressed on hiring more full-time equivalent faculty with expertise in Palestine and Arab studies more broadly, Chancellor May hid behind the authority of the Provost, an official who was seated at the same table. In a particularly bizarre, uncomfortable, and insulting moment, May responded to an undergraduate student telling him about their suffering academic performance by encouraging them to go to classes and study for final exams because “we don’t need any academic martyrs.” That Chancellor May, while speaking with students who had lost numerous family members in Gaza due to Israel’s ongoing genocide, thought it appropriate to use the term “martyr,” which is commonly used by Palestinians to refer to those who have been killed by Israel, in such a flippant manner speaks to an unchecked institutional culture that disregards the value of Palestinian life.

## *2. OCR Complaint by StandWithUs Center for Legal Justice*

Complainants are aware that an OCR complaint has been filed against UCD by StandWithUs Center for Legal Justice. Complainants trust that their recounting above of some of the same events as those detailed in the SCLJ complaint will shed light on the veracity and credibility of said complaint. Complainants object not only to the falsehoods and repressive targeting of protected political speech, but view the publication of such a complaint in an unredacted manner as a well-worn tactic of Zionist partisans designed to harass, intimidate, and suppress protected political speech and expression, limit the boundaries of academic discourse, and attempt to punish those who insist on exercising their constitutionally protected rights.

The complaint’s characterization of Palestinian, Arab, and Muslim students and their allies as antisemitic terrorist-sympathizers who congregate in mobs is not only plainly racist, it provides yet another example of why Palestinian, Arab, and Muslim students and their allies (including anti-zionist Jewish students) refrain from engaging with Zionists and encourage members of their community to do the same. In light of well-known national doxxing and harassment campaigns, both historically and since October 7th, and the diametric political opposition of Palestinian and Zionist students, it borders on the absurd to assert that student leaders encouraging their community not to engage with Zionists are discriminatory, harassing, or antisemitic. Such a practice is a perfectly permissible way to avoid the escalation of contentious and irresolvable conflicts and prevent the UCD campus from devolving into shouting matches or worse. That undergraduate students choose to avoid interpersonal conflicts with students, faculty, and community members on UCD’s campus who harass and smear them with impunity is a testament to the dignity, maturity, and intelligence of Palestinian, Arab, and Muslim students and their allies at UCD.

Beyond the misleading and offensive conflation of Zionism with Judaism, SCLJ attempts to impose the IHRA definition of antisemitism on UCD via the OCR in a way that misreads Executive Order 13899 and the Department of Education's interpretation of it. Complainants trust that the attorneys at OCR and UCD will disregard and discourage such political opportunism.

### **Suggested Remedies:**

Complainants insist that their experiences, identities, and viewpoints be treated as valid and worthy of respect. Instead of institutional intransigence and a culture of red-rape and dismissiveness, UCD must provide the non-discriminatory environment that Palestinian, Arab, and Muslim students and their allies are entitled to. In light of the above descriptions of pervasive and ongoing anti-Palestinian hostility perpetrated by members of the UCD student-body, faculty, and administration, complainants hereby request OCR to investigate whether UCD has breached any of its obligations under Title VI pertaining to:

- a. The use of digital recordings of classes to harass and intimidate students, including the extent to which faculty and administrators were aware of the incidents described above and the measures taken to discipline parties violating UCD policy
- b. The pervasive climate of hostility, harassment, and intimidation towards Palestinian, Arab, and Muslim students and students perceived to be Palestinian, Arab, or Muslim on all UCD campuses
- c. Whether UCD's security and policing policies have been implemented in a discriminatory manner or in any fashion that creates fear of discriminatory over-policing of Palestinian, Arab, and Muslim students
- d. Whether any UCD academic department or School has enforced previously unenforced policies in response to attempts by Palestinian, Arab, or Muslim students to utilize UCD resources
- e. Whether any UCD academic department or School has developed and implemented new policies that limit the ability of Palestinian, Arab, or Muslim students to access UCD resources in an equitable manner
- f. Whether the UCD Academic Senate violated its own policies, any policies of UCD or the University of California, or any relevant anti-discrimination policy in denying students access to channels of communication with an Academic Senate body
- g. Whether UCD and the University of California are in violation the civil rights of Arab, Palestinian, Muslim, and student advocates for Palestine of all backgrounds, through their participation, facilitation, and encouragement of academic and professional training and exchange programs with the Hebrew University in Israel

- h. Any other incident, policy, or practice of UCD that OCR believes may indicate a violation of its Title VI obligations.

Should OCR find that UCD is in violation of any of its obligations under Title VI, it should mandate the following:

1. The referral of any faculty who have engaged in harassment and intimidation of students across the university to the appropriate disciplinary processes, including but not limited to (b)(6); (b)(7)(A); (b)(7)(C) and (b)(6); (b)(7)(A); (b)(7)(C)
2. That UCD's top administrator issue a public statement via a school-wide email (Main Campus, Veterinary School, Medical School, and Law School students, staff, and faculty), posting on its website, and posting on its social media accounts condemning anti-Palestinian racism, acknowledging that Palestinian students have been subjected to impermissible harassment and discrimination, and committing to making UCD a safe and welcoming place for Palestinian students, staff, and faculty.
3. That UC Davis School of Veterinary Medicine send a school-wide message explicitly condemning the anti-Palestinian harassment and discrimination that has occurred on the Vet-Med campus by Vet-Med faculty, indicating that such harassment is impermissible and will not be tolerated.
4. That the UC Davis School of Veterinary Medicine establish an advisory committee of Palestinian, Arab, Muslim, and South Asian students to directly and regularly communicate with top administrators about their needs and any further incidents of harassment or discriminatory treatment.
5. That the UC Davis School of Medicine administration support their Palestinian, Arab, Muslim, and all others of marginalized identity by dedicating resources to remedial educational efforts and culturally competent mental health support. Further, the UCD School of Medicine must publicly acknowledge the impact of the devastating and unlawful targeting of medical professionals and institutions in Gaza on the School of Medicine and the field of medicine as a whole. The UCD School of Medicine must take affirmative steps to ensure that any investigation by OCR or a designated 3rd party investigator is not met with retaliatory measures.
6. The suspension, investigation, and termination of the institutional cooperation agreement, partnership and exchange program with the Hebrew University Koret School of Veterinary Medicine, to the extent that it systematically discriminates against Palestinian, Arab, and Muslim students, faculty, or staff who would either be barred from participating or would face discriminatory harassment and detention while participating in the activities of the program.

7. The suspension, investigation, and potential termination of “study abroad” partnerships with Israeli institutions to the extent that Palestinian, Arab, and Muslim students may not be able to participate in the programs facilitated by the University of California Education Abroad Program (UCEAP) in an equal and nondiscriminatory manner.
8. A thorough, unbiased investigation by a third party of the November 17th, 2023 police brutality incident at UCD, the policies that enabled it, and any remedial measure taken. OCR should mandate that UCD clarify its campus security policies surrounding Mrak Hall and acknowledge that such policies have been applied unequally. Further, UCD must hold the relevant administrators and officers accountable through appropriate disciplinary channels, including up to termination of the individuals involved.
9. That UCD implement mandatory annual anti-discrimination and anti-harassment training for all staff, faculty, and administrators in all schools and programs that explicitly addresses anti-Palestinian racism, by Palestine and Arab specialists.
10. That UCD update its undergraduate enrollment sensitivity training to include a module on anti-Palestinian, anti-Arab racism, and Orientalism.
11. That UCD no longer contract, offer trainings through, consultancies with, or other forms of engagement with UCD, with Zionist or pro-Israeli organizations like the Anti-Defamation League and other organizations known to play a significant role in creating an institutional culture that conflates antisemitism with anti-Zionism through explicitly urging administrators to craft and implement university policies, procedures, protocols and codes of conduct to crack down, limit, and punish student activists for Palestine motivated by anti-Palestinian animus. The ADL has a history of intervening at UCD, and communications between the two are well-documented and publicly available.<sup>66</sup>
12. UCD remove the ADL and other Zionist references from its antisemitism resource page on the UCD DEI website<sup>67</sup>, and provide resources and support groups for anti-Zionist Jewish students, staff, and faculty.
13. That UCD not conduct intrusive and harassing investigations into Palestinian students, Students for Justice in Palestine, or any other student or organization actually, or perceived to be, in support of Palestinian rights, nationhood, and self-determination or critical of either the practices of the nation-state of Israel *or* its existence as a settler-colonial entity carrying engaged in occupation and displacement.

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<sup>66</sup> See

<https://electronicintifada.net/blogs/ali-abunimah/leaked-email-reveals-adl-advice-universities-urging-anti-palestine-crackdown#email>

<sup>67</sup> See <https://diversity.ucdavis.edu/addressing-antisemitism>

14. That UCD analyze every allegation of antisemitism in a fact-specific manner that does not conflate Zionism with either Judaism or Israeli citizenship and that UCD acknowledge the irreconcilable differences between Palestinians and Zionists and affirm that support for Palestinians and the establishment of a Palestinian state is *not* inherently antisemitic or anti-Jewish.
15. That UCD issue a public statement that defends pro-Palestine speech, and states boldly that anti-Zionism is a legitimate, anti-racist position, that it aligns with DEI initiatives and UCD's Principles of Community, and cannot and should not be conflated with antisemitism.
16. That UCD clarify policies around and assist students in barring individuals whose sole purpose in attending public events is to harass and intimidate presenters and attendees.
17. UCD immediately develop a streamlined process for Arab, Palestinian, and Muslim students and organizations to notify Arab, Palestinian, and Muslim students, staff and faculty directly, as well as the broader UC Davis faculty, staff and student body, of educational events and campus climate issues impacting their communities, especially those events responding to current events impacting students and in need of quick distribution.
18. UCD establish a Department of Critical Arab American and SWANA Diasporic Studies, and that the university immediately dedicate funding for and initiate tenure track cluster hires for Critical Arab American and SWANA Diasporic Studies specialists, to lead the planning and implementation of this ethnic studies department and its curriculum, as well as offer course releases for faculty with research specialties in these areas to teach these courses.
19. UCD hire tenure track faculty who are Palestine specialists and who are sensitive and responsive to the needs of the Palestinian and Arab community, and create and fund in perpetuity an endowed chair of Palestine Studies in UC Davis's Middle East and South Asia Studies program.
20. That UCD also fund a permanent and ongoing, yearly community-driven speaker and educational series organized under the control and direction of a steering committee comprised of representatives from Students for Justice in Palestine, Faculty for Justice in Palestine, and UC Davis Graduate, Medical, Veterinary, and Law Students for Justice in Palestine.
21. That UCD establishes a Palestinian Life Center co-run by UCD's Students for Justice in Palestine with on-campus offices and staff dedicated to increasing educational programming on Palestine and establishing an outreach and recruitment program to subject matter experts on Palestine across disciplines with the goal of building capacity for the establishment of a Palestine Studies Department and a Palestine Studies major and minor degree program.
22. UCD provide a permanent, on campus, accessible office space for Students for Justice in Palestine for storage, meetings, community-building, as well as maintaining their historical memory and archives.

23. That UCD establish an Ethnic Studies General Education requirement for undergraduate graduation, beginning with the graduating Class of 2025, requiring one three-unit Ethnic Studies course from one of the departments of African American and African Studies, Asian American Studies, Chicanx Studies, Native American Studies, or the nascent departments of Critical Arab American and SWANA Diaspora Studies, or Palestine Studies.
24. That UCD hire full-time providers who are bilingual in English and Arabic to offer culturally competent mental health support services to all undergraduate, graduate, and professional students.
25. That UCD send a campus-wide email notifying the campus of the University's support for Palestinian and Arab faculty and staff, the protection of their rights to free speech and political association as it relates to the Palestinian national liberation struggle, and that it will create an Arab and Palestinian Staff Support Group to facilitate community amongst them that receives university funding for costs of hosting gatherings, as well as provides a financial incentive for Staff and Faculty to lead this initiative.





UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

REGION IX  
CALIFORNIA

50 UNITED NATIONS PLAZA  
MAIL BOX 1200, ROOM 1545  
SAN FRANCISCO, CA 94102

June 21, 2024

Gary S. May  
Chancellor  
University of California Davis  
One Shields Avenue  
Davis, California 95616

By email only to [chancellor@ucdavis.edu](mailto:chancellor@ucdavis.edu)

Re: University of California Davis – OCR Case Number 09-24-2312

**Response required by: July 19, 2024**

Dear Chancellor May:

On April 12, 2024, the U.S. Department of Education (the Department), Office for Civil Rights (OCR), received a complaint against the University of California Davis (the University). The complaint alleged that the University discriminated against students on the basis of their actual or perceived national origin (shared Palestinian, Arab, and/or Muslim ancestry) or association with Palestinian students by failing to respond adequately to incidents of harassment of these students by other students, faculty, administrators, and third parties and by subjecting Palestinian, Arab, and Muslim students to different treatment based on national origin/shared ancestry since October 2023. The harassment alleged in the complaint includes numerous instances of threats, doxing, non-consensual recording, and incendiary comments made to Palestinian, Arab, and Muslim students and others associated with Palestinian students, as well as unwarranted surveillance and harassment of such students at rallies and other campus events, and being cut off, yelled at, and silenced in class when trying to express their views with no support from their professor(s). The complaint alleged that the University has failed to adequately respond to this harassment including when raised in internal grievances filed with the University's Office of Harassment and Discrimination Assistance and Prevention. The complaint also alleged that Palestinian, Muslim, and Arab students have experienced retaliation for raising concerns of discrimination with the University, including heightened levels of surveillance, which leads to underreporting of discrimination against these students. The complaint also alleged that the University has applied its policies differently to pro-Palestinian student groups, like Students for Justice in Palestine, and campus events than it has to other student groups, organizations, and events.

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

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulations, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, and national origin under any program or activity receiving federal financial assistance. As a recipient of federal financial assistance from the Department, the University is subject to Title VI.

OCR will investigate the following issues:

- 1) Whether the University responded in a manner consistent with the requirements of Title VI to alleged harassment of students by other students and third parties on the basis of the harassed students' actual or perceived national origin (shared Palestinian, Arab, and/or Muslim ancestry) or association with Palestinian students; and
- 2) Whether the University discriminated against students on the basis of their national origin (shared Palestinian, Arab, and/or Muslim ancestry) by subjecting them to different treatment on the basis of national origin in the University's application of its policies.

Please note that OCR's decision to investigate these issues in no way implies that OCR has made a determination with regard to the merits. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the complainant, the recipient, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient as required by OCR's Case Processing Manual (CPM), (July 18, 2022). Please open this link for information about OCR's Complaint Processing Procedures. OCR also would like to make you aware that 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 complaint 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.

To reach an efficient and timely resolution of this matter, OCR is providing you an opportunity to present your response to these allegations and to submit supporting documentation. Please provide the information described in the attached data request by the date indicated at the top of this letter. OCR has determined that the information itemized in the attached data request is necessary to investigate the issue. The regulations implementing Title VI, at 34 C.F.R. §§ 100.6(b) and (c), require that a recipient of federal financial assistance make available to OCR information that may be pertinent to reaching a compliance determination. Pursuant to 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii), of the regulations 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.

On receipt of this letter notifying the University that OCR has opened an investigation of the above-referenced allegation, **please contact OCR San Francisco at [Alexis.Turzan@ed.gov](mailto:Alexis.Turzan@ed.gov) and [Michelle.Ternus@ed.gov](mailto:Michelle.Ternus@ed.gov)** with the name, title, email, and telephone number of the person you designate to be OCR's primary point of contact for the investigation of this complaint.

Please be advised that the University must not harass, coerce, intimidate, discriminate, or otherwise retaliate against any 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 separate retaliation complaint 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, OCR will seek to protect, to the extent provided by law, personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released.

Your cooperation is appreciated. If you have any questions, please contact our office at 415-486-5555 or [Alexis.Turzan@ed.gov](mailto:Alexis.Turzan@ed.gov) and [Michelle.Ternus@ed.gov](mailto:Michelle.Ternus@ed.gov).

Sincerely,

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

FOR Yohance Edwards  
Team Leader

Enclosures

U.S. Department of Education - Office for Civil Rights, San Francisco  
Initial Data Request  
University of California, Davis  
OCR Docket No. 09-24-2312

OCR requests that this information reach our office by **July 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 [Alexis.Turzan@ed.gov](mailto:Alexis.Turzan@ed.gov) and [Michelle.Ternus@ed.gov](mailto:Michelle.Ternus@ed.gov) to receive online portal information to upload data.

**Email:** [Alexis.Turzan@ed.gov](mailto:Alexis.Turzan@ed.gov) and [Michelle.Ternus@ed.gov](mailto:Michelle.Ternus@ed.gov).

**Fax:** (415) 486-5570

**Mail:** U.S. Department of Education, Office for Civil Rights  
50 United Nations Plaza  
Mail Box 1200; Room 1545  
San Francisco, CA 94102

Please do **not** provide the information via an electronic cloud format such as Google Docs. Please also do not include student social security numbers with any submission. 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.

For purposes of this data request and all subsequent data requests, “document” means a piece of written, printed, photographic, electronic, videotaped, audiotaped, or other matter. Please note that this data request is of an ongoing nature, such that if documents relevant to this request are discovered or become available at a later time, we request that the recipient promptly provide such documents to OCR. OCR also requests that you provide any and all documents that are relevant to OCR’s review of this matter, regardless of whether OCR has specifically requested such documents.

**Preservation of requested and relevant data and documents:** To ensure that OCR can assess the recipient’s compliance with the statutory and regulatory obligations at issue in this investigation, please ensure that recipient employees preserve the data and documents requested below for the timeframe specified in these requests and going forward until OCR closes this complaint. Please also ensure that recipient employees preserve other data and documents that are relevant to the allegation(s) under investigation until OCR closes this complaint. The regulation implementing Title VI, at 34 C.F.R. §§ 100.6(b) and (c), requires that a recipient of federal financial assistance make available to OCR information that may be pertinent to reaching a compliance determination.

Please provide the following information for the 2023-2024 academic year unless otherwise indicated, or indicate in writing if any of the requested items do not exist. **If the University has already provided any of the information in response to a request made in another OCR investigation (e.g., 09-24-2038 or 09-24-2283), please state what information has been provided, the relevant OCR case number(s), and the date of submission.**

1. A narrative response to the issues opened for investigation 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 09-24-2312 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 University's internal grievance procedures, or in state or federal court).
3. A copy of or link to the University's policies and procedures, and a description of its practices, governing the investigation of and response to reports and complaints of discrimination, including harassment, against students, faculty, and staff on the basis of national origin (shared Arab ancestry and/or Muslim). Please also provide the name(s), job title(s), and contact information of the University's employees responsible for handling such reports and complaints at the University at each level of the process.
4. A detailed description of all formal and informal complaints and reports of discrimination, including harassment, based on national origin (shared Palestinian, Arab, Muslim, and/or other ancestry) of students at the University. Please include:
  - a. copies of any complaint(s) or reports received;
  - b. the name(s) and job title(s) of the person(s) to whom the complaint was made or who otherwise became aware of the alleged incident;
  - c. the name and relation to the University of the person making the report/complaint (e.g., student, faculty members, parent/guardian, counsel, member of the public);
  - d. the date of each complaint(s) or report received;
  - e. a detailed description of each complaint/report, 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 complaint/report;
  - f. a detailed description of the procedures employed to resolve the complaint or report;
  - g. the length of the process to resolve the complaint or report (e.g., 62 days);
  - h. the name(s) of any students involved in the alleged incident and their national origin (including shared ancestry) if known;
  - i. the name(s) and job title(s) of the person(s) responsible for investigating and otherwise resolving the complaint or report;
  - j. the name(s) and relationship to the University of any witnesses interviewed by the University;
  - k. all actions taken by the University in response to the allegations raised by the complaint or report, including any individual and or University-wide corrective actions, and the date(s) of such action(s);
  - l. the University's final determination, if any, regarding each complaint and report and the date of the determination;

- m. any notice of the final outcome of the investigation or resolution provided to the reporting party or others with regard to the complaint or report; and
  - n. if the University 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; and
  - o. copies of any other documentation related to each complaint or report. including but not limited to, interview or other notes, emails, investigative reports, internal and external memoranda, witness statements, meeting minutes, correspondence, logs, forms, record of supportive measures and/or remedies offered and provided, and hearing transcripts generated by the University offices.
5. If any complaints of discrimination, including harassment, of students based on national origin (shared Palestinian, Arab, and/or Muslim ancestry) were made to the University's Office of Harassment and Discrimination Assistance and Prevention that were not produced in response to Request 4 above, please provide those complaints and all of the information requested in Request 4.a-o above.
  6. A detailed description of any training regarding discrimination, including harassment, based on national origin (including shared Palestinian, Arab, and/or Muslim ancestry and/or association with these shared ancestries) provided to University staff responsible for responding to complaints based on shared ancestry. For each such training provide the dates of such training, a description of the training, a description of the training participants, and copies of any materials distributed during the training.
  7. A copy of the University's policies and/or procedures, and/or a description of its practices, governing campus events held by student groups or other organizations. Please include a copy of all complaints to the University that alleged discrimination based on national origin (including shared Palestinian, Arab, and/or Muslim ancestry or association with such ancestries) regarding student groups and/or campus events. Please detail the University's response to each complaint, including its outcome, and include all supporting documentation.
  8. State whether University employees took down displays of a student-led vigil on campus for killed Palestinians on December 7, 2023, and if so, identify who authorized and instituted this decision. State whether University employees took down any displays for vigils on campus for the killed Israelis in 2023 or 2024, including the date of such vigils and who authorized and instituted the decisions to take down the displays.
  9. A copy of the University's policies and procedures, and/or a description of its practices, related to police officer or other security personnel presence or surveillance of students on campus. Include the names and job titles of all University staff responsible for implementing the security and surveillance policies/procedures/practices by name(s) and position title(s).
  10. State whether the University has increased its police officer or other security personnel presence on campus or during campus 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.

11. A copy of all University policies or procedures related to “*doxing*” or the act of publicly providing personally identifiable information about an individual or organization in the University community.
12. 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 University community. For each complaint/report, provide:
  - a. the name(s) and title(s) of the individual(s) to whom the complaint/report was made, and the date of the complaint/report;
  - b. a detailed description of the complaint processing procedures employed to resolve the complaint/report;
  - c. the name(s) and title(s) of the individual(s) involved in the handling of the complaint/report;
  - d. all actions the University took in response to the complaint/report;
  - e. the University’s final determination regarding the complaint/report;
  - f. any corrective action taken;
  - g. the length of the process; and
  - h. any notice of the findings provided to the complainant.
13. State whether the University blocked Palestinian and other students, including some from Students for Justice in Palestine (SJP), from accessing Mrak Hall on November 17, 2023:
  - a. the names of the individual(s) and their position titles who made the decision to block their access;
  - b. all reasons for blocking their access and dated documentation supporting each stated reason;
  - c. who enlisted police officers to enforce the block, which officers (b)(6); (b)(7)(A); (b)(7)(C) (b)(6); (b)(7)(A); (b)(7)(C) and whether any were sanctioned for the incident; and
  - d. whether the University blocked any other groups’ access to Mrak Hall in 2023 or 2024, and if so, the reasons for blocking that group’s access.
14. State whether the University blocked requests to co-sponsor pro-Palestinian events from groups including, the LGBTQIA Resource Center, the History Department, the Political Science Department, the Jewish Studies Department, and the Writing Program; if so, why; and whether the University denied any requests to co-sponsor pro-Israel events on campus.
15. A copy of all documents or a description of the University’s efforts to work with various student groups to address discrimination, including harassment, based on national origin (including shared Palestinian, Arab, and/or Muslim ancestry) at the University.
16. Any other information the University believes will assist OCR in its investigation.