

Third-Party Comment Form

HOW TO FILE A THIRD-PARTY COMMENT WITH WSCUC

1. Carefully read the ‘Submitting and Processing Third-Party Comments’ section of the WSCUC [Complaints and Third-Party Comments Policy](#) (pages 6-7).
2. Use the attached Third-Party Comment Form to submit a comment. You must complete all applicable sections of the form before the comment will be reviewed.
3. You may attach additional sheets of paper if you need more space. Include with the form any copies of documents and supporting materials that pertain to your comment. (50 page limit).
4. Mail or email your Third-Party Comment Form and any additional documentation or supporting materials to the address below.

Third-party identification

Please take careful note of the information in the Complaints and Third-Party Comments Policy regarding the declaration of identity on this form.

THIRD PARTY COMMENT REVIEW PROCESS

1. Third-party comments are reviewed by Commission staff after receiving the Third-Party Comment Form and supporting documents. Normally, no response is made to the commenter. If appropriate, staff may contact the commenter for clarification or additional information.
2. Commission staff will determine the appropriate course of review and action on the comment which may include, but is not limited to: sending the information to the institution, with or without the commenter’s name for its information or follow up; referring the information or a summary of issues to a future review team; holding the information in a file for future reference, or disregarding the information and taking no action.

If you have further questions, please contact:

WASC Senior College and University Commission (WSCUC)
985 Atlantic Avenue, Suite 100
Alameda CA 94501
Phone: 510-748-9001 x 300
Web: www.wscuc.org
Email: wscuc@wscuc.org

COMMENTER INFORMATION:

- I wish to remain anonymous
- I am identifying myself to WSCUC but do not wish to share my identity with the institution in question
- You may share my identity with the institution in question

Third-Party Commenter Name: _____

Email: _____

Phone: _____

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INSTITUTIONAL INFORMATION

University or college named in the complaint:

Complainant's relationship to the university or college named above:

- Student Faculty Staff
- Other (please state): _____

Current status of relationship with university or college:

- Enrolled Graduated Withdrawn On Leave
- Resigned Terminated Employed
- Other (please state): _____

What is the basis of your comment?

Please provide any comment about the institution's quality or effectiveness.

Date: _____



January 16, 2020

WASC Senior College and University Commission (WSCUC)
985 Atlantic Avenue, Suite 100
Alameda, CA 94501

Dear Members of the WSCUC:

I write on behalf of the Zionist Organization of America (ZOA), the oldest and one of the largest pro-Israel organizations in the U.S., whose mission includes fighting anti-Semitism and anti-Israelism in schools and on college campuses.

We understand that the University of California, Los Angeles (UCLA) is currently seeking reaffirmation of its accreditation by the WASC Senior College and University Commission (WSCUC). As you proceed with the reaffirmation process, we ask that you consider deeply troubling evidence: There is a pattern of anti-Semitism at UCLA, and while university officials are well aware of this longstanding problem, they have failed to effectively address it.

Indeed, the U.S. Department of Education's Office for Civil Rights recently [agreed](#) to investigate a [complaint](#) filed by a Jewish student at UCLA who faced discrimination and harassment based on her Jewish ancestry and ethnicity. The complaint alleges that UCLA violated Title VI of the Civil Rights Act by failing to remedy this problem and others, resulting in a hostile campus environment for Jewish students.

I have attached the October 7, 2019 complaint (Exhibit A), which the Jewish student filed with the assistance of an international non-profit education organization called StandWithUs. The complaint describes in heartbreaking detail what this Jewish student endured last spring in her anthropology course.

At a mandatory guest lecture during a regularly scheduled class in the course, the guest lecturer delivered an anti-Israel and anti-Semitic rant that was both offensive and false. When the Jewish student challenged some of the guest lecturer's false and anti-Semitic statements during the question-and-answer period – which she had every right to do – the lecturer attacked, berated and belittled the Jewish student in front of the entire class.

As the Title VI complaint describes, the professor for the course did nothing in response and remained silent during the abuse. The professor did not show respect for her student's right to refute the lies and assert her beliefs and views in support of her Jewish identity and ethnicity. The professor did not protect her student from being harassed and berated. Instead, the professor

continued to harass the Jewish student. Making matters worse, the professor retaliated against the Jewish student after she asserted her legal rights.

The horrifying details are laid out on pages 6-9 of the attached complaint. In addition, I have attached the ZOA's May 29, 2019 letter to UCLA Chancellor Gene Block about these events (Exhibit B). Neither the Chancellor nor anyone on his behalf responded to our letter.

The attached Title VI complaint describes several other anti-Semitic incidents at UCLA that university officials failed to effectively address, contributing to the hostile anti-Semitic campus environment. (See Exhibit A pp. 9-13.) For example, UCLA officials responded weakly when anti-Israel protestors disrupted an "Indigenous Peoples" panel discussion organized by UCLA's Students Supporting Israel group in May 2018. By the university's own [admission](#), the disruption was not a "lawful protest." As the attached Title VI complaint describes, the disrupters tore down a flag, got in the face of a panelist, threw the panelist's placard, screamed anti-Semitic statements and played music to drown out the speakers, to the point that the event could not proceed. Instead of protecting the rights of the organizers, the speakers, and the individuals who came to hear them, campus police stood idly by for several minutes before intervening to stop the illegal conduct.

After the incident, the ZOA wrote to Chancellor Block. We identified the UCLA rules and policies that the protestors had violated, urged that wrongdoers be sanctioned in accordance with the rules and policies, and recommended that UCLA cooperate with local prosecutors based on the protestors' possible violation of the California Penal Code. (See the ZOA letter dated May 30, 2018, attached as Exhibit C.)

Chancellor Block failed to respond to the ZOA's letter, as did the other university officials who were copied on it. As the Title VI complaint alleges, UCLA never sanctioned the violators, and actually shielded them from inquiry by the Los Angeles City Attorney's office.

The WASC accreditation process is supposed to assure all of us that when an institution like UCLA is accredited, it has fulfilled its mission in service to its students and the public good. Among other requirements, the institution must demonstrate its commitment to academic freedom – including for students – and exhibit integrity and transparency in its operations, including by implementing its policies, and responding to complaints and grievances in a fair and timely manner.

UCLA has failed to meet these standards. The university's [mission statement](#) reflects UCLA's purported commitment to "academic freedom in its fullest terms: We value open access to information, free and lively debate conducted with mutual respect for individuals, and freedom from intolerance."

Yet UCLA showed little regard for the academic freedom of the Jewish student who was harassed and belittled by the guest lecturer and her professor in her anthropology course last spring. It showed the same disregard for the academic freedom of those who participated in the "Indigenous Peoples" panel discussion in May 2018. These and the many other incidents described in the attached Title VI complaint show that UCLA has not fulfilled its mission to

protect the academic freedom of Jewish and pro-Israel students, and has not assured them the respect and freedom from intolerance that every student deserves.

In this re-accreditation process, we urge you to raise all these issues with UCLA officials. Please require that they demonstrate to you how they will start (1) protecting the academic freedom of Jewish students and their right to express their identities as proud Jews and Zionists on campus, without fear of harassment, intimidation, or marginalization by professors, students, and others; (2) promptly and effectively responding to students, faculty and others who violate the rules and policies prohibiting anti-Semitic harassment, and hold them accountable; (3) instituting the necessary training for the university community about the many ways that anti-Semitism can be expressed today, using the [International Holocaust Remembrance Alliance's working definition of anti-Semitism](#) as a guide (a definition that must be used by federal agencies, by [executive order of the President](#)); and (4) making it clear, by unambiguous and forceful messages to the community, that ULCA rejects any and all forms of anti-Semitism – including those that relate to Zionism and Israel – and that anyone who engages in anti-Semitic harassment will be sanctioned in accordance with UCLA policies.

UCLA's accreditation should not be renewed until it has demonstrated in full that it is meeting all these requirements. The university must show you that it is truly serving all students, including those who are Jewish, and that it is serving the public good, which means having zero tolerance for any and all forms of bigotry, including bigotry against Jews.

Respectfully,



Morton A. Klein
National President



Susan B. Tuchman
Director, Center for Law and Justice

StandWithUs

Supporting Israel & Fighting Antisemitism

October 7, 2019

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg
400 Maryland Avenue, SW
Washington, DC 20202-1100
Email: OCR@ed.gov

I. INTRODUCTION

Complainant Shayna Lavi, a University of California, Los Angeles (“UCLA”) student, respectfully submits this letter of complaint pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq. (“Title VI”), based on discrimination and harassment she experienced at UCLA in spring 2019 as a result of her perceived Jewish ethnicity. Ms. Lavi submits this complaint with the assistance of StandWithUs, an international, non-profit education organization inspired by the belief that education is the road to peace and dedicated to educating people of all ages and backgrounds about Israel and to combating the antisemitism and extremism that often distort the issues surrounding the Arab-Israeli conflict.

Upon beseeching the UCLA administration for help in addressing the antisemitic discrimination and harassment to which she was subjected, Ms. Lavi was instead confronted by its refusal to remedy the situation, as well as the failure to provide her with appropriate relief, in violation of applicable law. Faced with no other alternative to protect herself as a Jewish student, Ms. Lavi here alleges a violation of Title VI by UCLA.

The college classroom aptly has been described as the “marketplace of ideas”¹—an environment in which open dialogue and debate of diverse viewpoints should be nurtured, including, and perhaps especially, on controversial subjects. This is the environment Ms. Lavi expected to encounter last spring during a guest lecture by Professor Rabab Abdulhadi purportedly addressing Islamophobia. To her surprise and shock, however, she was confronted with a diatribe that attacked a core component of her identity as a Jewish Zionist, *i.e.*, one who supports the right of the Jewish people to self-determination in their ancestral homeland—Israel. Worse yet, the speaker accused Zionists of a willingness to engage in ethnic cleansing to achieve

¹ *Keyishian v. Bd. of Regents*, 385 U.S. 589, 603 (1967).

Exhibit A

the goal of a Jewish state and expressly characterized this integral part of Ms. Lavi's Jewish identity and ancestry as a form of white supremacy.

When Ms. Lavi exhibited the courage to challenge these statements, she found no allowance for open debate; instead, the speaker told Ms. Lavi in no uncertain terms that Zionism, this fundamental piece of Ms. Lavi's Jewish identity, was "wrong." Rather than come to Ms. Lavi's aide, the professor for the class, Dr. Kyeyoung Park (who was responsible for inviting a speaker who used antisemitic rhetoric in her classroom) further aggravated Ms. Lavi's embarrassment in front of the entire class by remaining silent. Dr. Park then added insult to injury by subjecting Ms. Lavi to continual harassment on the subject of Zionism in subsequent class meetings and noted her own agreement with the speaker's antisemitic rant. These experiences, unsurprisingly, left Ms. Lavi feeling marginalized, estranged and unwelcome as a Jewish student—both in Dr. Park's class and as a student at UCLA in general.

Professor Abdulhadi's statements fall squarely within the Working Definition of Antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA), and expressly utilized by the U.S. Department of Education's Office for Civil Rights (OCR) in "determining whether students face discrimination on the basis of actual or perceived Jewish ancestry."² Specifically, the Working Definition includes as an example of antisemitism "[d]enying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor."³

When called upon to address this most recent manifestation of antisemitic anti-Zionism on its campus and remedy the resulting hostile environment it created for Ms. Lavi, and by extension other Jewish members of the campus community, the UCLA administration undertook only a limited review of the situation, found no wrongdoing, and chose to close the matter without further action.

As set forth in further detail below, *see infra* Part III(B), Ms. Lavi's experience is part of a pervasively and increasingly hostile climate⁴ at UCLA in which Jewish students find themselves continuously subject to antisemitic targeting, harassment, intimidation, marginalization and discrimination. Furthermore, Jewish students' appeals for meaningful help are systematically ignored by the UCLA administration. As a result, certain UCLA professors, students and activists feel increasingly emboldened to act upon their anti-Jewish hate without fear of repercussions. In short, UCLA has studiously refused to take adequate steps to remedy the

² See, U.S. Department of Education, Office for Civil Rights, Letter to Susan B. Tuchman, Esq., Aug. 27, 2018, pp. 2, available at <https://www.politico.com/f?id=00000165-ce21-df3d-a177-ccc9649e0000>.

³ *Id.* at 3.

⁴ To be sure, Jewish life at UCLA has managed to thrive in many ways in the face of the challenges Jewish students have faced. Nevertheless, the UCLA administration has failed to satisfy its obligation to take adequate and effective action to remedy the environment created by repeated instances of antisemitism on its campus.

hostile campus climate that exists for Jewish students, of which Ms. Lavi's experience is the most recent example.

We urge your office to investigate thoroughly the hostile environment at UCLA experienced by Ms. Lavi due to her perceived Jewish ancestry or ethnicity. If your investigation concludes that UCLA has indeed violated Title VI, we urge your administration to demand swift and concrete remedies, some of which are suggested below.

II. UCLA'S TITLE VI OBLIGATIONS

Title VI prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance, which includes UCLA. The Office of Civil Rights ("OCR") has explained that schools "may violate [Title VI] and the Department's implementing regulations when peer harassment based on race, color, [or] national origin . . . is sufficiently serious that it creates a hostile environment and such harassment is encouraged, tolerated, not adequately addressed, or ignored by school employees."⁵ The violation is, of course, all the more egregious if it is committed by school employees themselves and administrators fail adequately to respond. As the Department of Education's implementing regulations for Title VI expressly provide, it is prohibited for a Title VI recipient to, *inter alia*:

- (i) Deny an individual any service, financial aid, or other benefit provided under the program;
- (ii) Provide any service, financial aid, or other benefit to an individual which is different, or is provided in a different manner, from that provided to others under the program;
- (iii) Subject an individual to segregation or separate treatment in any matter related to his receipt of any service, financial aid, or other benefit under the program; or
- (iv) Restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program.⁶

Importantly for purposes of the instant complaint, OCR has clarified that Jewish students are among those entitled to protection from the type of discrimination prohibited by Title VI, including harassment that creates a hostile environment, and, consequently, to have school administrators take the above-described actions if and when such conduct occurs. Specifically, OCR explained:

⁵ U.S. Department of Education, Office for Civil Rights, Office of the Assistant Secretary, "Dear Colleague Letter," Oct. 26, 2010, page 1, available at <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.html>.

⁶ 34 C.F.R. § 100.3(b).

[G]roups that face discrimination on the basis of actual or perceived shared ancestry or ethnic characteristics may not be denied protection under Title VI on the ground that they also share a common faith. These principles apply not just to Jewish students, but also to students from any discrete religious group that shares, or is perceived to share, ancestry or ethnic characteristics (e.g., Muslims or Sikhs). Thus, harassment against students who are members of any religious group triggers a school's Title VI responsibilities when the harassment is based on the group's actual or perceived shared ancestry or ethnic characteristics, rather than solely on its members' religious practices. A school also has responsibilities under Title VI when its students are harassed based on their actual or perceived citizenship or residency in a country whose residents share a dominant religion or a distinct religious identity.⁷

According to OCR, "[h]arassing conduct [that violates Title VI] may take many forms, . . . does not have to include intent to harm, be directed at a specific target, or involve repeated incidents[, and] . . . creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school."⁸ Crucially, it is the responsibility of a school to proceed with immediate and appropriate action to "address[] harassment incidents about which it knows or reasonably should have known,"⁹ and, where discriminatory harassment has occurred, to "take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment *and its effects*, and prevent the harassment from recurring."¹⁰

As demonstrated below, UCLA has failed to respond adequately or effectively to a pattern of antisemitic incidents on its campus of which it was aware. Such deliberate indifference has had a detrimental impact on its Jewish student population in general—and Ms. Lavi in particular—that will only worsen if OCR does not hold UCLA accountable for complying with its legal requirements under Title VI.

III. STATEMENT OF SUPPORTING FACTS

The UC Regents addressed the issues of antisemitism and anti-Zionism in March 2016 when they adopted their *Statement of the Principles Against Intolerance* ("PAI"), condemning anti-Zionism when it fuels antisemitic behavior against Jewish students who, as Jews, identify with

⁷ Dear Colleague Letter, *supra* note 1, page 5, available at https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010_pg5.html. See also U.S. Dep't of Education, Office for Civil Rights, Office of the Assistant Secretary, "Dear Colleague Letter," Sep. 13, 2004, available at <https://www2.ed.gov/about/offices/list/ocr/religious-rights2004.html>.

⁸ Dear Colleague Letter, *supra* note 1, page 2, available at https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010_pg2.html.

⁹ *Id.*

¹⁰ *Id.*, pages 2-3 (emphasis added), available at https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010_pg2.html and https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010_pg3.html.

Israel. The Regents recognized that Zionism is the belief that the Jewish people have the right to a Jewish homeland—the State of Israel. The PAI recognizes that antisemitic anti-Zionist speech lies beyond the scope of civil discourse and that universities have a responsibility to identify and enforce the norm of civil discourse as it applies to Jewish students, among others. The Regents' PAI uses the qualification “*anti-Semitic forms of anti-Zionism*” to indicate that not all speech directed against Israel’s institutions or government is antisemitic. Rather, the PAI acknowledges that the modern manifestation of antisemitism targets Jews in new ways.

Criticizing Israeli government policies is not necessarily anti-Zionist or antisemitic. Refusing to treat Jews as political equals; seeking to strip away Jewish rights to self-determination and end Israel’s existence; portraying the Jewish state as a symbol of the greatest evils in the world; demanding that Israeli Jews become a stateless people once again, despite the catastrophic results of living in those conditions for over 1,900 years; targeting the Jewish state alone through human rights and other campaigns—these things constitute antisemitism.

Shortly after the UC Regents adopted the PAI and publicly stated that antisemitic forms of anti-Zionism have no place at UC schools, the UCLA Chancellor’s Advisory Committee presented a written request that the UCLA administration adopt and implement a formal statement acknowledging that, at its core, Zionism stands for the right of the Jewish people to a homeland—the State of Israel—and that country is a defining aspect of Jewish identity to an overwhelming majority of Jewish students on campus. Several thoughtful recommendations as to how UCLA might incorporate this understanding in various components of campus life (without diminishing protections for free speech) accompanied this request. While the UCLA administration has acknowledged that expressions of anti-Zionism are often coded expressions of antisemitism,¹¹ neither the requested statement nor the proffered recommendations have been adopted by UCLA.

From at least 2012 to the present, antisemitic activities have been occurring with regularity on the UCLA campus. While the UCLA administration has been made aware of these incidents, it has repeatedly failed to take the necessary steps to correct the resulting pervasively hostile environment that exists for Jewish members of the campus community. To be sure, the UCLA Office for Equity, Diversity and Inclusion has adopted the *Principles Against Intolerance* approved by the UC Regents in March 2016, including the express call for “University leaders to actively challenge anti-Semitism and other forms of discrimination when and *wherever* they emerge within the University community”¹² (emphasis added). UCLA administrators, however, have failed adequately to address this hostile environment, remaining largely silent in response to

¹¹ See, UCLA Equity, Diversity & Inclusion, *Crosscheck: Principles Against Intolerance*, Mar. 21, 2016, available at <https://equity.ucla.edu/crosscheck/2016-03-21-principles-against-intolerance/>.

¹² UCLA Equity, Diversity & Inclusion, *Principles Against Intolerance*, Principle (c), available at <https://equity.ucla.edu/programs-resources/principles-against-intolerance/#principlec> (last visited Sep. 19, 2019).

campus antisemitism and refusing to take requested corrective actions, even in the face of blatant antisemitic conduct.

The following incidents amply demonstrate UCLA's repeated failure adequately to address the hostile campus climate that exists for Jewish students:

A. May 2019 Guest "Lecture" by Professor Rabab Abdulhadi

On Tuesday, May 14, 2019, UCLA Professor Dr. Kyeyoung Park ("Dr. Park") invited Rabab Abdulhadi ("Professor Abdulhadi"), an Associate Professor at San Francisco State University, to deliver a guest lecture titled, "Islamophobia and the Attacks Against Palestine Organizing and Scholarship," in Dr. Park's class, Anthropology 144P: "Constructing Race." This lecture took place on UCLA's campus, in Fowler Hall, Room 103 B, as a regularly scheduled class session. In addition to her position as Associate Professor of Ethnic Studies/Race and Resistance Studies at SFSU, Professor Abdulhadi serves as Senior Scholar to SFSU's Arab and Muslim Ethnicities and Diasporas Initiative (AMED). Professor Abdulhadi has shared content online asserting that "Zionism = Racism,"¹³ calling Zionists and white supremacists "birds of a feather,"¹⁴ and claiming that she was "offended" by SFSU President Leslie Wong's "statement welcoming Zionists to campus," which she characterized in one place as "an insult . . . to Arabs, Muslims and Palestinians,"¹⁵ and in another online post as an outright "declaration of war" against those groups.¹⁶

Pursuant to the syllabus for Dr. Park's class, attendance is expected. It appears, however, that Dr. Park deemed Professor Abdulhadi's session mandatory, as evidenced in an email¹⁷ sent from one of Dr. Park's teaching assistants, [REDACTED], to the class, as well as the fact that, contrary to usual classroom procedure for most of Dr. Park's classes, students were required to sign a sign-in sheet at the beginning of Professor Abdulhadi's guest lecture demonstrating their presence that day.

Ms. Lavi was a student in Dr. Park's "Constructing Race" course during the Spring 2019 quarter. At the time Ms. Lavi was enrolled in her third year at UCLA, majoring in anthropology. Ms. Lavi is Jewish. She is active in Jewish life on campus, serving on the boards of Bruins for Israel, Shal-Om and Students Supporting Israel. According to Ms. Lavi, Anthropology 144P is an upper level class in which she enrolled to fulfill the requirements of her major. Ms. Lavi attended the May 14, 2019 class session expecting, based on the title, to hear a condemnation of Islamophobia. Rather than providing an educational lecture, however, Professor Abdulhadi used this opportunity to deliver an anti-Israel and antisemitic rant that included numerous offensive,

¹³ <https://www.ebar.com/news/news/2809527fbclid=IwAR0LzLF4s89bTYaUFsirSp5quKl2ec7KkjqhEW3yWJ3-8Ja9-XGA2bmuzL0>

¹⁴ <https://www.youtube.com/watch?v=ZupnM1eZdKA&feature=youtu.be&t=558>

¹⁵ <https://mondoweiss.net/2018/10/president-before-leaves/>

¹⁶ <https://www.facebook.com/rabab.abdulhadi/posts/10155388256458123>

¹⁷ See Attachment A.

false and discriminatory statements. These statements were not merely political anti-Israel speech—asserting that Israel is the cause of Islamophobia and that Israel and its people are an “enemy” and the root of the majority of problems in the world—but blatantly antisemitic, equating Zionists as white supremacists who not only desire a wholly Jewish world but are willing to engage in ethnic cleansing in order to attain that goal.¹⁸

During a question and answer session following the lecture, Ms. Lavi challenged some of Professor Abdulhadi’s statements, particularly those that Ms. Lavi found to be false and antisemitic in nature. When doing so, Ms. Lavi identified herself as a Jew who supports Israel and its right to exist. In response, Professor Abdulhadi first expressed her disagreement with Ms. Lavi’s position of support for the existence of the State of Israel, a blatantly antisemitic statement according to the IHRA Working Definition of Antisemitism. Then, Professor Abdulhadi continued her verbal attack, brought Ms. Lavi to tears, and silenced her. Not content to stop there, Professor Abdulhadi repeatedly berated and belittled Ms. Lavi in front of the entire class. Dr. Park remained silent during this onslaught.

According to Ms. Lavi, Dr. Park saw that Ms. Lavi was upset. Rather than acknowledging that one of her students had been unjustly admonished for standing up for her religious and ethnic identity and expressing an alternate viewpoint, and rather than inquiring into or taking any steps to ensure her student’s well-being, Dr. Park turned away and refused to make eye contact with Ms. Lavi. When Ms. Lavi requested to speak with Dr. Park after class, Dr. Park refused, claiming that she did not have time, though she nevertheless remained in the classroom for several more minutes standing by, again without intervening, while Professor Abdulhadi continued to harass Ms. Lavi, still in tears, about her Jewish Zionism.

In the days that followed Professor Abdulhadi’s lecture, Dr. Park continued a campaign of harassment against Ms. Lavi. Rather than recognizing the antisemitic and hostile nature of Abdulhadi’s statements, or, at the very least, acknowledging that Ms. Lavi was entitled to an alternative viewpoint, Dr. Park instead took Ms. Lavi aside after a subsequent class session expressly to inform Ms. Lavi that her own definition of Zionism (i.e., the right of the Jewish people to self-determination in their ancestral homeland equal to the right of other peoples) was “wrong” and that Dr. Park agrees with Professor Abdulhadi’s statements about Zionists.

Likewise, Dr. Park repeatedly brought up the substance of Professor Abdulhadi’s lecture in subsequent class sessions, asking aloud whether, out of the roughly 100 students in the class, Ms. Lavi—and only Ms. Lavi—was present when doing so. When Ms. Lavi requested that Dr. Park

¹⁸ See

<https://www.facebook.com/AMEDStudies/videos/631151277356918/UzpfSTYwODU4ODEyMjoxMDE1NjM2ODg1Nzk0MzEyMw/> at approximately -57:25 (asserting that Zionism intends to expand and replace the Palestinian people in “Palestine”); see also *id.* at approximately -37:40 (equating Zionists with white supremacists and, by implication, ethnic cleansing, because individuals involved in the Charlottesville march identified themselves as white Zionists).

attempt to bring some balance to the issues raised by Professor Abdulhadi by inviting a guest speaker to address antisemitism, Dr. Park both refused to consider a remedy and informed the class of Ms. Lavi's request and that it (for reasons not fully explained) apparently upset Dr. Park. Additionally, Dr. Park used her podium and lecture time to complain to the class when she learned that Ms. Lavi had filed a complaint based on her interaction with Professor Abdulhadi, suggesting that Ms. Lavi was victimizing Dr. Park. In short, Dr. Park used her position of authority not only repeatedly to harass, embarrass and intimidate Ms. Lavi, but also to retaliate against her for exercising her right to seek relief from the hostile environment to which she was being subjected.

Ms. Lavi's treatment during Professor Abdulhadi's lecture, as well as her subsequent harassment by Dr. Park, left her feeling not merely upset, offended, and targeted, but helpless, vulnerable, and unwelcome not only in Dr. Park's class, but as a student at UCLA. As a result, Ms. Lavi experienced substantial stress and anxiety, especially while on campus. Shortly after Professor Abdulhadi lecture, Ms. Lavi visited UCLA's Counseling and Psychological Services (CAPS) department to discuss the stress that this incident caused. The counselor she met with suggested that Ms. Lavi return for another counseling session, which she did, at which time she met with a second counselor at CAPS. The stress and anxiety resulting from Professor Abdulhadi's lecture and its aftermath also caused Ms. Lavi to seek counseling with a private therapist.

Following Professor Abdulhadi's lecture and during the time of Dr. Park's continued harassment of her, Ms. Lavi filed the aforementioned complaint with the UCLA Office for Equity, Diversity & Inclusion (the "Office"), headed by Vice Chancellor Jerry Kang.¹⁹ Ms. Lavi met several times with members of the Office's staff over the next few weeks as they conducted their investigation.

Ms. Lavi's final meeting with Office staff took place on August 16, 2019. At that time, the Office informed Ms. Lavi that it had concluded its investigation based on her complaint and that it had limited its investigation to the narrow issues of whether (1) Ms. Lavi had experienced discrimination based on *religion* during Professor Abdulhadi's lecture and (2) whether Dr. Park had engaged in retaliatory conduct. The Office concluded that no such violations had occurred. On the same date, the Office issued an Outcome Letter to Ms. Lavi stating its findings and noting it would "recommend training" to Dr. Park. The substance and timing of any such training were not explained. Office staff further stated that should Ms. Lavi wish to pursue a separate claim of harassment based on these facts, that would need to be done through a different office. Laura Siegel, a Special Assistant within the Office, provided Ms. Lavi with a list of resources

¹⁹ According to available information, a second complaint concerning the Abdulhadi lecture was filed with the Equity, Diversity & Inclusion office by another student who was present during Abdulhadi's lecture and spoke up at that time in opposition to Abdulhadi's antisemitic statements and her harassing treatment of Ms. Lavi.

concerning her options for pursuing a harassment claim. Ms. Lavi chose not to proceed with an internal harassment claim, raising that issue here for the first time.

Ms. Lavi's experience of discrimination and harassment based on her Jewish ethnicity in Spring 2019 created a hostile environment at UCLA for Ms. Lavi. It also created a hostile environment by extension for other Jewish students aware of what had transpired and who feared similar repercussions in their classrooms should they openly identify themselves as Jewish Zionists. Lastly, Ms. Lavi's experience reinforced an already existing pattern of UCLA administrators failing to condemn antisemitism on campus and deliberately refusing to take action aimed at remedying the situation. As the following additional facts demonstrate, Ms. Lavi's experience, including UCLA's lack of a meaningful response, is part of a disturbing trend of antisemitic incidents at UCLA.

B. Other Antisemitic Incidents Contributing to a Hostile Environment²⁰

(1) In May 2019, UCLA's student government passed a resolution²¹ condemning "misinformation" about Students for Justice in Palestine (SJP). Contained in the resolution are clauses alleging that UCLA Chancellor Gene Block, Canary Mission and the David Horowitz Freedom Center falsely accused SJP of antisemitism. This resolution passed despite mounting evidence that in fact SJP does promote antisemitism on UCLA's campus²² and nationally. This resolution made Jewish students at UCLA, who feel targeted by SJP's hateful, antisemitic rhetoric, feel further marginalized. The resolution also violates the spirit of a 2015 resolution²³ condemning antisemitism.

(2) In November 2018, SJP held its national conference²⁴ at UCLA. Nationally, SJP has a deeply disturbing record. The group receives funding²⁵ and other forms of support²⁶ from non-governmental organizations that are tied²⁷ to multiple designated terror organizations, including Hamas, Palestinian Islamic Jihad, and the Popular Front for the Liberation of Palestine (PFLP). National SJP conferences have featured lectures from terrorists like Khader Adnan, an Islamic

²⁰ On May 24, 2019, StandWithUs sent UCLA a letter outlining the discriminatory and harassing incident that occurred during Professor Abdulhadi's May 14, 2019 guest lecture. In the same letter, StandWithUs informed UCLA of the other incidents set forth in Part III(B) below. Other than to notify StandWithUs that it was investigating Ms. Lavi's allegations, UCLA failed to provide any response to StandWithUs's letter.

²¹ See <https://haam.org/2019/05/22/eight-non-jewish-ucla-student-council-representatives-deny-antisemitism-pass-resolution-arguing-nsjp-targeted-by-false-accusations-of-antisemitism%ef%bb%bf/>.

²² See, e.g., *infra* Parts III(B)(2), (B)(7) & (B)(8).

²³ See <https://haam.org/2015/03/11/resolution-condemning-anti-semitism-passes-at-ucla-with-12-0-0-vote/>.

²⁴ See <https://www.nationalsjp.org/2018-conference.html> (asserting that "Zionism *is* ethnic cleansing, destruction, mass expulsion, apartheid, and death . . .") (emphasis added).

²⁵ See <https://medium.com/@samarov.max/whos-really-driving-grassroots-anti-israel-activism-in-america-273eed7b0cd6>.

²⁶ See <https://forward.com/subscribe/393199/students-for-justice-in-palestine-relies-on-a-network-of-hate/>.

²⁷ See <https://www.tabletmag.com/scroll/263409/bds-umbrella-group-linked-to-palestinian-terrorist-organizations>.

Jihad leader who called²⁸ for suicide bombings against Israeli civilians. SJP also spearheaded²⁹ a campaign to glorify and raise money³⁰ for Rasmia Odeh, who helped carry out³¹ a PFLP terrorist attack that killed two Israeli civilian college students. During their conference at UCLA and in many other cases, the group expresses³² support³³ for an “Intifada”³⁴ (a campaign of violence against Israelis) and creates a hostile climate for Jewish and Israeli students—particularly those who lost friends and family during the brutal suicide bombings of the Second Intifada. SJP-affiliated activists have threatened³⁵ violence against Jewish students³⁶ and others who support Israel’s existence.

A recent review of SJP’s activities illustrates how the organization spreads hate³⁷ against Jews and Israelis on campus on a regular basis.³⁸ SJP members frequently³⁹ shout down speakers with whom they disagree, an illegal act that has resulted in numerous criminal⁴⁰ and university⁴¹ investigations into violations of campus policies and state laws. SJP members have even been charged with criminal violence.⁴² Much of their rhetoric falls under the IHRA definition of antisemitism, which has been adopted and applied by numerous countries and government bodies across the world, including the EU, the Government of Canada, the U.S. Department of State, and most recently the U.S. Department of Education. Such expression by SJP includes denying Israel’s right to exist,⁴³ demonizing⁴⁴ Israelis, and attacking Israel using classic⁴⁵ antisemitic tropes.⁴⁶ In fact, SJP’s political agenda⁴⁷ is to eliminate the State of Israel⁴⁸ and strip away Jewish rights to self-determination. These are just a few examples of how SJP manifests

²⁸ See <https://www.youtube.com/watch?v=CtPQ4EgePqw>.

²⁹ See <https://mondoweiss.net/2015/09/announcing-palestine-conference/>.

³⁰ See <https://www.palestineinamerica.com/blog/2015/01/sjp-chicago-to-host-fundraiser-for-rasmia-odeh>.

³¹ See <https://www.youtube.com/watch?v=ySFOBuPXaOI>.

³² See <https://blogs.timesofisrael.com/on-u-s-campus-students-call-for-intifada/>.

³³ See https://www.youtube.com/watch?v=35qF_ON1R6g.

³⁴ See <https://www.algemeiner.com/2018/05/24/when-students-for-justice-promote-violence/>.

³⁵ See <https://www.jta.org/2017/02/13/global/mcgill-student-leader-doubles-down-on-punch-a-zionist-today-message>.

³⁶ See <https://www.insidehighered.com/news/2018/08/01/calls-stanford-ra-be-fired-after-he-threatens-fight-zionists>.

³⁷ See http://icpa.org/wp-content/uploads/2017/11/SJP_Unmasked_Final_edited.pdf.

³⁸ See <https://www.washingtonpost.com/news/acts-of-faith/wp/2016/09/15/in-the-safe-spaces-on-campus-no-jews-allowed/>.

³⁹ See <https://www.washingtonpost.com/news/volokh-conspiracy/wp/2015/11/04/israeli-academic-shouted-down-in-lecture-at-university-of-minnesota/>.

⁴⁰ See <http://www.thetower.org/5491-la-city-attorney-mulls-prosecution-of-anti-israel-disruptors-of-ucla-event/>.

⁴¹ See <https://www.timesofisrael.com/uc-irvine-sanctions-pro-palestinian-group-for-disrupting-israel-event/>.

⁴² See <https://www.nyunews.com/2018/04/27/jvp-protesters-arrested-at-rave-for-israels-70th-birthday-in-wsp/>.

⁴³ See <https://www.youtube.com/watch?v=jKqkm5j7qd4>.

⁴⁴ See <https://www.facebook.com/sjpusf/photos/a.560639990648696/757437934302233/?type=3&theater>.

⁴⁵ See <https://www.timesofisrael.com/vassars-sjp-sort-of-apologizes-for-anti-israel-nazi-cartoon/>.

⁴⁶ See <https://www.dailycal.org/2017/12/05/uc-berkeley-hold-hatem-bazian-accountable-anti-semitic-discourse/>.

⁴⁷ See <https://www.facebook.com/watch/?v=10155987289689717>.

⁴⁸ See <https://theaggie.org/2018/07/06/students-for-justice-in-palestine-kill-and-expect-love/>.

antisemitism and creates a climate on campus that is divisive, discriminatory, harassing, and sometimes violent for Jews and Israelis.

(3) In May 2018, anti-Israel protestors at UCLA staged a lengthy illegal disruption⁴⁹ during a Students Supporting Israel Indigenous Speakers Unite panel on campus. The panel featured Israeli, Armenian and Kurdish speakers. The disruptors barged in about halfway through the panel discussion. One disruptor tore down one of the flags and got in the face of one of the panelists, throwing the panelist's placard aside in acts of vandalism and menacing behavior. A larger group, including both students and community activists, then entered. They screamed antisemitic statements such as "from the river to the sea, Palestine will be free" and "we don't want no two state, we want '48" (which refer to dismantling the Jewish State of Israel), played music to drown out the speakers, and prevented the event from proceeding. Event organizers sought assistance from campus police, who stood idle for several minutes before finally asking the protestors to step aside and then escorting some from the room. The protestors succeeded in shutting down the event, much to the consternation of the event's hosts. As a result, the disruption was substantial and illegal.

Despite ample evidence of this disruption violating both state law⁵⁰ and UCLA policy⁵¹ and video evidence identifying the disruptors, the UCLA administration refused to sanction any of the offenders. Frustrated by UCLA administrators' deliberate inaction in the face of criminal misdemeanors and identified perpetrators, students and community members present at the event were compelled to seek a remedy by filing police reports with the UCLA Police Department. UCLA police referred the matter to the Los Angeles City Attorney's office immediately after the filing. The City Attorney required the ten community members identified in the disruption to attend a mandatory City Attorney's hearing. However, students identified to the UCLA administration for their participation in the unlawful disruption received no consequences or punishment within the University framework. Furthermore, based on available information, it appears that the City Attorney could have investigated the students' criminal conduct, but UCLA administrators shielded the students from further inquiry by the City Attorney.

(4) In January 2018, UCLA's Undergraduate Students Association Council President Arielle Mokhtarzadeh found herself the victim of an antisemitic hate crime when an unknown perpetrator tore down and stole her *mezuzah*⁵²—a religious artifact—from the doorpost outside her campus office. The mezuzah is one of the most enduring and publicly displayed symbols of

⁴⁹ See https://jewishjournal.com/news/los_angeles/234289/pro-palestinian-protesters-disrupt-ucla-indigenous-peoples-event/.

⁵⁰ See Cal. Penal Code, Section 403, available at https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=403.

⁵¹ UCLA Office for Equity, Diversity & Inclusion, "Free Speech on Campus: The Basics, the Myths, the Challenges," version 1.0, Nov. 9, 2017, pp. 9-10, available at <https://ucla.app.box.com/v/free-speech-on-campus>.

⁵² See <https://www.facebook.com/arielle.mokhtarzadeh/posts/179687433692115>.

Jewish identity. This act targeted a UCLA student government president because of her Jewish identity by desecrating a sacred symbol of Judaism. Other Jewish students reported that the incident sent a message that Jewish students should not hold leadership positions on campus and are not welcome at UCLA.⁵³ While Vice Chancellor Kang issued a statement mentioning the incident, the focus was on acts of “hate” generally and the protection of students based on sexual orientation. Entirely absent from his message was the term “antisemitism” or any treatment of that issue at UCLA.⁵⁴ The student herself independently organized a ceremony to replace the mezuzah and show a personal zero-tolerance policy to Jewish-motivated hate on campus.

(5) In December 2015, a UCLA student employed at the UCLA Center for Prehospital Care posted a lengthy antisemitic diatribe⁵⁵ in response to a Facebook post by Mayim Bialik about Zionism. In this instance, UCLA Vice Chancellor Janina Montero sent an email to students in which she condemned the antisemitic comments. However, to our knowledge, the University took no further action either against the UCLA employee or to remedy the growing hostile environment for Jewish students on campus.

(6) In May 2014, pro-Palestinian groups asked student government political candidates to sign an ethics pledge,⁵⁶ promising not to travel on programs organized by Jewish groups, such as the American Israel Public Affairs Committee (“AIPAC”), the Anti-Defamation League (“ADL”) and Hasbara Fellowships. UCLA Chancellor Gene Block expressed that this pledge “troubled” him but failed to identify the antisemitic nature of the pledge at issue or even to acknowledge that UCLA Jewish students identified it as antisemitic.

(7) Since 2014, SJP has brought to campus several speakers with public records of antisemitic rhetoric to campus, including Miko Peled and Max Blumenthal,⁵⁷ Boycott, Divestment and Sanctions (“BDS”) co-founder Omar Barghouti,⁵⁸ and Professor Abdulhadi.⁵⁹ While SJP may have a First Amendment right to bring hateful speakers to campus, the UCLA administration has an equal right—and responsibility—to condemn the antisemitic affiliations and sentiments of such speakers. Instead, the administration remained silent, contrary to a direct

⁵³ See <https://dailybruin.com/2018/01/19/vandalism-incident-sparks-responses-from-jewish-student-leaders/>.

⁵⁴ See <https://dailybruin.com/2018/05/14/submission-recent-acts-of-vandalism-contradict-bruin-values-of-inclusion-respect/>.

⁵⁵ See <http://dailybruin.com/2015/12/26/submission-bigoted-facebook-posts-are-most-recent-examples-of-anti-semitism-at-uc/>.

⁵⁶ See <https://www.insidehighered.com/news/2014/05/19/ucla-chancellor-criticizes-pledge-asked-student-government-candidates>.

⁵⁷ See <https://amchainitiative.org/search-by-incident#incident/display-by-date/details/5b516e4c9d1f3b0b33b84125/>.

⁵⁸ See <https://spme.org/anti-semitism/omar-barghouti-ucla-echoes-1930s-europe/16720/>.

⁵⁹ See https://www.facebook.com/events/377229599428011/?active_tab=discussion.

call in the *Principles Against Intolerance*, as well as the administration's *stated* commitment to use its own voice to condemn anti-Jewish hate.⁶⁰

(8) In February 2012, SJP set up a mock apartheid wall⁶¹ at the beginning of Palestine Awareness Week where they compared Israel's treatment of Palestinians in Gaza to the atrocities of the Holocaust. Holocaust denial, which includes minimizing the experience of Jews under the Nazis, is an express form of antisemitism under the U.S. Department of State and the U.S. Department of Education's Working Definition of Antisemitism. Again, to the best of our knowledge, the administration failed to condemn this form of antisemitism.

IV. SUGGESTED REMEDIES

In light of the foregoing facts and the pervasively hostile environment they have created for Ms. Lavi and other Jewish students at UCLA, we respectfully request that OCR compel UCLA to take the following steps toward protecting Jewish and Israeli students on campus:

- (1) UCLA must adopt the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism⁶² and be guided by this definition when addressing potential incidents of antisemitic discrimination;
- (2) UCLA must issue an official statement recognizing that for many individuals Zionism is an integral component of Jewish identity;⁶³
- (3) UCLA must issue an official statement affirming the University's commitment to protecting the rights of Jewish and Israeli students on campus to express freely Jewish and Zionist viewpoints and to participate in all aspects of University life free from harassment and discrimination as a result of those viewpoints;⁶⁴

⁶⁰ See <https://equity.ucla.edu/crosscheck/charlottesville-and-taking-a-stand/>.

⁶¹ See <https://accessadl.blogspot.com/2012/02/mock-apartheid-wall-kicks-off-palestine.html?fbclid=IwAR0d22nJbgPjvSWEMw14wk1UAhpXy10EgTmOWNIWOUWz4iU3-iREUI9vhRg>.

⁶² The IHRA Working Definition of Antisemitism has been adopted by the U.S. Department of State, see <https://www.state.gov/defining-anti-semitism/>; recognized by the U.S. Department of Education, see <https://www.worldjewishcongress.org/en/news/wjc-us-supports-department-of-education-decision-to-use-ihra-definition-of-antisemitism-9-5-2018> and *supra* note 2; and was used as a template for an antisemitism law passed by the Florida state legislature in June 2019, see <https://www.jta.org/quick-reads/florida-gov-ron-desantis-signs-legislation-against-anti-semitism-into-law>.

⁶³ Pursuant to the March 2019 settlement agreement in *Volk v. Board of Trustees* brought by two Jewish students against San Francisco State University and the Board of Trustees of the California State University public university system, San Francisco State University released a statement confirming that "it understands that, for many Jews, Zionism is an important part of their identity." See, <https://www.thelawfareproject.org/releases/2019/3/20/sfsu-settlement> and <https://jewishjournal.com/news/nation/california/295506/csu-to-acknowledge-zionism-is-an-important-part-of-jewish-identity-in-sfsu-case/>.

⁶⁴ Pursuant to the *Volk* settlement agreement, see *supra* note 60, San Francisco State University made precisely such a statement.

- (4) UCLA must formally adopt and apply the Final Report of the Regents' Working Group on Principles Against Intolerance and must formally incorporate antisemitism, as defined by the IHRA, as a form of discrimination in its campus anti-discrimination policies;⁶⁵
- (5) UCLA must review existing diversity programming and expand it to include crucial aspects of students' identities that transcend political views and religious beliefs—including Jewish students' connection to Israel and how that informs their own Jewish identity;
- (6) UCLA must institute mandatory bias and sensitivity training for all faculty and staff (including teaching assistants) that specifically includes tools for defining, identifying and working to eliminate antisemitism from all aspects of University life. Such mandatory training must include the IHRA Working Definition of Antisemitism, as well as identification of applicable procedures for responding to incidents of antisemitism and reporting such conduct to University administrators;⁶⁶
- (7) UCLA must institute new policies to provide sufficient oversight and accountability when students allege antisemitism. Such policies must ensure that incidents of alleged antisemitism are handled as prescribed by applicable policies for reporting and responding to other forms of discrimination on campus;
- (8) UCLA must create an antisemitism task force,⁶⁷ consisting of students and faculty selected with the advice and consent of, among others, Jewish Zionist student leaders, whose responsibilities it will be to:

⁶⁵ See *supra* note 59. The United Nations' Special Rapporteur on freedom of religion or belief has also issued a recent report in which he calls upon government entities to "adopt [the IHRA Working Definition of Antisemitism] for use in education, awareness-raising and for monitoring and responding to manifestations of antisemitism." "Elimination of all forms of religious intolerance," Sep. 23, 2019, available online at https://www.ohchr.org/Documents/Issues/Religion/A_74_47921ADV.pdf.

⁶⁶ The Constitution of the Associated Students of the University of California Santa Barbara, for example, requires that the President, External VP for Local Affairs, External VP for Statewide Affairs, the Student Advocate General, and all Senate members "[s]hall attend a training on understanding unconscious bias and the roots of anti-Semitism by the sixth (6) week of Fall Quarter . . ." See <https://www.as.ucsb.edu/files/2016/01/15-16-LEGAL-CODE.pdf>, pp. 48, 50-52, 72. Interestingly, UCSB is the only UC school that mandates such training and the only UC school that has not passed a pro-BDS resolution. See <https://forward.com/fast-forward/422455/university-of-california-santa-barbara-bds-ucsb/>. As individuals holding positions of authority within the campus community, faculty and staff should undergo similar training.

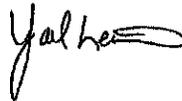
⁶⁷ Pursuant to the *Volk* settlement agreement, see *supra* note 60, San Francisco State University "[h]ire[d] a Coordinator of Jewish Student Life within the Division of Equity & Community Inclusion" whose responsibility it will be to address issues concerning Jewish students' experience, engagement and success on campus, address antisemitic incidents and other campus concerns revolving around Judaism and to create programming that covers antisemitism. The recommendation here of a task force builds upon this idea by ensuring that those most directly and significantly affected by antisemitism on campus will be able to participate meaningfully in addressing these issues. Other universities have convened such task forces that have made important recommendations to the administrations. See, e.g., Western Washington University, *Final Report and Recommendations from Task Force on*

- a. meet with Jewish and Israeli students to learn about their experiences on campus, listen to any concerns they may have related to being Jewish or Israeli on campus, develop suggested remedies for antisemitic incidents that occur on campus, and issue a report to the UCLA Chancellor addressing these issues;
- b. work with appropriate administrators to create programs and activities to improve the campus climate for the benefit of all students, faculty and staff, including, specifically, Jewish members of the campus community; and
- c. work with appropriate administrators and faculty to create educational programs addressing the nature, history and dangers of antisemitism in all its forms.

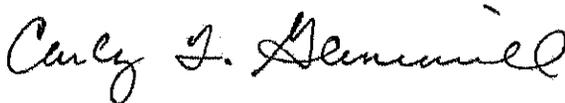
Respectfully submitted (with Complainant),



Roz Rothstein
CEO
StandWithUs



Yael Lerman
Director
StandWithUs Saidoff Legal Department



Carly F. Gammill
Director
StandWithUs Center for Combating Antisemitism

Preventing and Responding to Antisemitism, available at <https://president.wvu.edu/final-report-and-recommendations-task-force-preventing-and-responding-antisemitism>.

ATTACHMENT A

MyUCLA Class Email for ANTHRO M144P DIS 1A: Important messa...

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To:

Dear students,

I hope you are doing well. On Tuesday we have a guest lecturer coming to present in class, Dr. Rabab Abdulhadi. She is the director and senior scholar of Arab and Muslim Ethnicities and Diasporas studies at San Francisco State University. Her lecture will focus on Islamophobia. It is required that every student attend.

Second, [redacted] and I will be swapping facilitating sections on Tuesday and Friday this week because of a schedule conflict. Please attend your regular section. I am including the list of presenters and their readings for Tuesday sections. Please be sure to have read them and be prepared to discuss them.

For Tuesday at 9am the presenters are:

- the Nandi article
- the Santa Ana article
- the Wolly article

For Tuesday at 4 pm the presenters are:

- the Reddock article
- Santa Ana article

Best



ZIONIST ORGANIZATION OF AMERICA

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(212) 481-1500 | FAX: (212) 481-1515 | INFO@ZOA.ORG | WWW.ZOA.ORG

May 29, 2019

VIA EMAIL

Chancellor Gene Block
University of California, Los Angeles
Chancellor's Office
Box 951405, 2147 Murphy Hall
Los Angeles, CA 90095-1405

Dear Chancellor Block:

We write on behalf of the Zionist Organization of America (ZOA), the oldest and one of the largest pro-Israel organizations in the U.S., whose mission includes fighting anti-Semitism and anti-Israel bias wherever they exist.

We were horrified to learn that on May 14, Associate Professor Kyeyoung Park permitted her classroom to be misused to promote the personal anti-Semitic, anti-Israel political agenda of a guest speaker (and possibly her own agenda as well), in violation of the Faculty Code of Conduct. We write to urge you to investigate the incident thoroughly and, if the Code was in fact violated, sanction Professor Park.

Even if her conduct does not amount to a violation of the Code warranting sanctions, Professor Park owes the students in her class an unconditional apology for permitting and encouraging a classroom environment on May 14 that was hateful, discriminatory, disrespectful to students and their views, and abused for personal political purposes rather than for the pursuit of truth. She must apologize to all of her students immediately, both verbally and in writing.

Professor Park Wrongly Permitted the Abuse of her Classroom for Personal, Political Purposes Hostile to Israel and Jews

We understand that at Professor Park's invitation, San Francisco State University (SFSU) Professor Rabab Abdulhadi delivered a guest lecture in Park's course, Anthropology M144P: Constructing Race. Students' attendance at the lecture was mandatory.

Reportedly, Abdulhadi engaged in a "rant" against Israel. A student at the lecture reported that Abdulhadi made the following false and outrageous statements, many of which cross the line into anti-Semitism:

- That "those who support Israel want to ethnically cleanse the Middle East";
- That "those affiliated with Israel and pro-Israel organizations are white supremacists";
- That Ilhan Omar – a congresswoman who was appropriately criticized by Jews and non-Jews for her support of the anti-Israel Boycott, Divestment and Sanctions movement, and for invoking anti-Semitic images of Jewish conspiracy and power by claiming that "Israel has hypnotized the

Exhibit B

world, may Allah awaken the people and see the evil doings of Israel” – “was attacked by AIPAC and all these pro-Israel organizations because [Omar is] Muslim”; and

- That the United States and Israel have “shared values” of “killing people, colonialism and white supremacy.”

Rabab Abdulhadi’s Horrific Anti-Semitic Record

Abdulhadi’s statements were hateful and offensive, but not surprising, given her record. We urge you to visit the Canary Mission website which documents Abdulhadi’s horrific history of spreading hatred of Zionists and Israel, glorifying terrorists, and co-founding the anti-Semitic academic boycott campaign against Israel. Abdulhadi has twice been the keynote speaker at the conference of the national Students for Justice in Palestine (SJP) group. A recently issued research study identified SJP as “a terror-affiliated anti-Semitic network that currently operates with autonomy and impunity at colleges and universities across the United States.”

When SFSU President Leslie Wong said that Zionists were welcome on the SFSU campus, Abdulhadi did not applaud his support for the Jewish and pro-Israel community, as one would reasonably expect from a professor and a decent human being. Abdulhadi said she was “ashamed” to be affiliated with SFSU and demanded that President Wong withdraw his statement.

Professor Park Violated the Faculty Code of Conduct

What is shocking, unconscionable and sanctionable is that Professor Park permitted Abdulhadi, of all people, to deliver a guest lecture to her class of 100 students. Reportedly, Professor Park did not assign any readings about the Israeli-Palestinian Arab conflict to her class before Abdulhadi delivered her hateful and lie-filled rant. Many if not most of the students in the class thus lacked any basis on which to judge what Abdulhadi was saying, let alone challenge her. They could easily have been misled into believing her lies.

Shayna Lavi, a Jewish student in the class, did know enough to speak up and challenge Abdulhadi during the question-and-answer period. She said that she was “personally offended” that Abdulhadi had “categorized pro-Israel students, Zionists and Jewish students as white supremacists.”

Abdulhadi did not respectfully listen and consider Shayna Lavi’s legitimate views. Instead, Abdulhadi shot her down, reportedly retorting: “Thank you. That’s your opinion but you’re wrong. I stand with Jews who do not support Israel and I hope that Jews will disalign themselves with white supremacy.”

To students who were there to learn and pursue the truth, Abdulhadi abused the podium she was given by disparaging and demonizing Jews simply because of their love and support for their ancestral homeland. Professor Park said and did nothing in response to Abdulhadi’s anti-Semitism. She did not challenge Abdulhadi’s lies about Israel, or even so much as suggest that Abdulhadi was expressing her personal views, which are not necessarily shared by others. She did not support her student who wanted to exercise her own academic freedom and critically assess and respond to what Abdulhadi was saying.

Shayna Lavi was brought to tears by Abdulhadi, but even the harassment and discrimination she endured did not cause Professor Park to act responsibly. Reportedly, she dismissed Shayna Lavi and told her to come to Park’s office hours. She did not formally apologize to Ms. Lavi for the abuse she endured and did not deserve.

Another student in the class who is not Jewish was so horrified by what she witnessed that she complained to the administration, writing, “This was hate speech, there is no other way of classifying it. Watching an educator belittle a student to tears with such blatant ignorance leaves me to question the values UCLA wishes to uphold.”

UCLA may not be able to hold Abdulhadi accountable for a violation of UCLA’s value and policies. But Professor Park must be disciplined for her numerous violations of the Faculty Code of Conduct. The Code requires that professors demonstrate “respect for students as individuals and adhere to their proper roles as intellectual guides and counselors.” Professors are expected to “foster honest academic conduct” and to “avoid any exploitation, harassment, or discriminatory treatment of students.” They are required to protect students’ “academic freedom.”

It is a punishable violation of the Code of Conduct to (1) permit “significant intrusion of material unrelated to the course”; (2) “discriminate against a student on political grounds or for reasons of religion, ethnic origin, national origin, or ancestry; (3) “use . . . the position or powers of a faculty member to coerce the judgment or conscience of a student or to cause harm to a student for arbitrary or personal reasons”; (4) participate in or deliberately abet intimidation in the classroom; and (5) use “[u]niversity resources or facilities on a significant scale for personal . . . [or] political purposes,” without authority.

Requested Relief

Each of these offenses is sanctionable under the Faculty Code of Conduct. We thus strongly urge a full investigation of what occurred in Professor Park’s Constructing Race class on May 14. If the evidence shows that the Code was in any way violated, Professor Park should be sanctioned. No matter what, she owes Ms. Lavi and the rest of her students an apology for what occurred on May 14 – for allowing her classroom to be used to promote an anti-Jewish Israel-basher’s hateful agenda, for her own failure to speak up, for her failure to protect her students from abuse and discrimination, and for her failure to safeguard their academic freedom and pursuit of the truth.

We look forward to your prompt response.

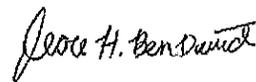
Very truly yours,



Morton A. Klein
National President



Susan B. Tuchman, Esq.
Dir., Center for Law & Justice



Leore Ben-David
Managing Dir., ZOA Campus



ZIONIST ORGANIZATION OF AMERICA

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May 30, 2018

VIA EMAIL

Chancellor Gene Block
University of California, Los Angeles
Chancellor's Office
Box 951405, 2147 Murphy Hall
Los Angeles, CA 90095-1405

Dear Chancellor Block:

We write on behalf of the Zionist Organization of America (ZOA), the oldest and one of the largest pro-Israel organizations in the U.S., regarding the May 17th disruption of a panel discussion sponsored by UCLA's Students Supporting Israel (SSI).

In reaction to the disruption, Vice Chancellor of Equity, Diversity and Inclusion Jerry Kang and Vice Chancellor of Student Affairs Monroe Gorden wrote an op-ed posted on May 24th in the *Daily Bruin*. They acknowledged that the disruption was not a "lawful protest." It was "so severe" and "intimidating" that it prevented speakers from reaching their audience. The Vice Chancellors made it clear that "bullying and insults might be the norm elsewhere," but that such behavior would not be tolerated at UCLA. They stated that the May 17th disrupters who were unaffiliated with UCLA would be reported to law enforcement, and that transgressions of university policy by members of the UCLA community would be "addressed appropriately."

These are steps in the right direction, but we urge that more be done.

First, the May 17th incident is of such seriousness and severity that the UCLA community needs to hear directly from you. We urge you to issue a university-wide message publicly condemning the disruption and those who were behind it, and committing to hold all wrongdoers accountable under the law and under UCLA's own rules and policies.

Second, we urge you to ensure that there is a full and immediate investigation of what occurred on May 17th, to determine (a) who organized the protest; (b) who participated in the protest; (c) what university rules and policies were violated; and (d) how all wrongdoers will be held accountable and sanctioned in accordance with UCLA's Student Conduct Code. Based on the op-ed in the *Daily Bruin* and news reports about the incident, at least the following provisions of the Code appear to have been violated: 102.08 (conduct that threatens health or safety); 102.11 (harassment); 102.13 (obstruction or disruption); 102.14 (disorderly behavior); 102.15 (disturbing the peace); and 102.16 (failure to comply).

Outsiders who violated university rules and policies should be banned from the campus. We understand that the UCLA student group that calls itself "Students for Justice in Palestine" (SJP) denied involvement in the May 17th disruption. But SSI members report that SJP's leader was present and that his presence is reflected in video footage of the event. We are troubled that even if it did not play a role in the disruption, SJP refused to condemn it.

Exhibit C

The investigation will determine whether SJP and others at UCLA were involved in the unlawful disruption. If the disrupters and harassers were motivated by bias based on the perceived ethnic or national origin of the targets (i.e., SSI and the other participants in the May 17th program), then, as the Student Conduct Code contemplates and permits, the sanctions should be enhanced.

If this is not the first infraction by a student, then that student should be suspended or dismissed. If this is not the first infraction committed by a student group, then the group's registered status should be revoked. In addition to sanctions, conditions should be imposed on the offending students and student groups, including (1) a mandatory letter of apology to SSI; (2) mandatory completion of an educational program on respect, tolerance and contemporary manifestations of anti-Semitism (using the U.S. State Department definition of anti-Semitism as guidance) given the hateful and inflammatory anti-Israel slogans that were being yelled at the May 17th event; and (3) a closely supervised period of probation with appropriate mentoring and monitoring by UCLA officials.

Third, all evidence of wrongdoing should be referred to local prosecutors, not simply evidence of wrongdoing committed by UCLA outsiders, as the Vice Chancellors wrote in their op-ed. If there are members of the UCLA community who violated the law (e.g., California Penal Code Section 403, making it a crime to willfully disturb or break up a lawful assembly or meeting), then they, too, should be held accountable for their criminal behavior. Indeed, as you will recall, 10 students were convicted of one misdemeanor count of conspiring to disrupt Israeli Ambassador Michael Oren's February 2010 speech at UC Irvine, and a second count for disrupting it. As the District Attorney said when the students were convicted, "In a civilized society, "we cannot allow lawful assemblies to be shut down by a small group of people using the heckler's veto."

All the wrongdoers on May 17 should understand that they are not entitled to special treatment and that UCLA will not tolerate harassment, bullying or the suppression of anyone's freedom of speech and right to assemble.

Finally, we understand that while campus police eventually responded to the crisis on May 17, it took them several minutes to intervene. We encourage additional training for campus police so that they can respond quicker and more effectively should any such disruptions be attempted in the future.

We urge you to commit to taking the foregoing steps. Please know that we are here to help in any way.

Very truly yours,



Morton A. Klein
National President



Susan B. Tuchman, Esq.
Director, Center for Law and Justice

cc: Jerry Kang, Vice Chancellor of Equity, Diversity and Inclusion (via email)
Monroe Gorden, Vice Chancellor of Student Affairs (via email)