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VIA E-MAIL

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**Re: Civil Rights Violations at the California State Polytechnic
University, Humboldt**

Dear Acting Assistant Secretary Trainor and Director Pelchat:

I. Introduction

Jewish students at the California State Polytechnic University, Humboldt ("Cal Poly Humboldt") have been subjected to severe and persistent harassment and discrimination on the basis of their shared ancestry and ethnicity, which has created a hostile environment on campus. Jewish students have been attacked verbally and physically, excluded and forced out of areas on campus they are entitled to access, and subjected to vicious anti-Jewish hate. Anti-Israel campus protestors have thrown fake blood on Jewish students and vandalized a campus building while screaming "blood of our martyrs;" shouted anti-Semitic slurs at Jewish students and displayed hateful messages showing a Nazi swastika "equals" a Jewish star of David; vandalized campus property with anti-Semitic slogans; and harassed Jewish students inside a Sukkah¹ by shouting anti-Semitic invectives at them through a

¹ A Sukkah is a tent-like structure constructed by Jewish people and used in observance of the Jewish holiday of Sukkot.

megaphone and glorifying the October 7 terrorist attack by Hamas.

Despite its knowledge about these and other anti-Semitic incidents, the University has not taken meaningful steps to eliminate the hostile climate for Jewish students at Cal Poly Humboldt. Worse, instead of directly addressing anti-Semitism on campus, as they are required to do pursuant to their legal obligations, the administration has encouraged Jewish students to hide their Jewish identity to avoid being targeted. On one occasion, when Jewish students reported to the administration that – following other acts of anti-Semitism on campus – a Jewish ritual item was stolen from their Sukkah, the administration instructed the Jewish students to take down their Sukkah each night of the week-long holiday to prevent further theft, but did not take steps to address the anti-Semitic harassment on campus or prevent it from recurring. And after Jewish students were harassed by an individual at a Jewish club’s tabling event, administrators told the students to leave the event rather than address the harassment. The message from the University to Jewish students is clear: downplay your Jewish identity on campus or hide to avoid being targeted because the University will not protect you.

For the reasons stated below, the Louis D. Brandeis Center for Human Rights Under Law (“the Brandeis Center”), Jewish on Campus (“JOC”)² and Student A, described below, (collectively “Complainants”), request that the Office for Civil Rights (“OCR”) initiate an investigation of Cal Poly Humboldt, a recipient of federal financial assistance,³ for violations of Title VI of the Civil Rights Act of 1964⁴ and its implementing regulations.⁵

II. Jewish Identity and Anti-Semitism

Since the Hamas terror attack against Israel on October 7, 2023—the deadliest day for Jews worldwide since the Holocaust—campus life for Jewish college and university students has been markedly altered. President Trump’s Executive Order on Additional Measures to Combat Anti-Semitism (“EO 14188”) describes how the Oct. 7 terrorist attacks “unleashed an unprecedented wave of vile anti-Semitic discrimination, vandalism, and violence against our citizens, especially in our schools and on our campuses,” and how “Jewish students have faced an unrelenting barrage of discrimination; denial of access to campus common areas and facilities, including libraries and classrooms; and intimidation, harassment, and physical threats and

² Jewish on Campus (JOC) is a 501(c)(3) nonprofit organization founded by Jewish college students, for Jewish college students. Jewish on Campus empowers Jewish student leaders to combat antisemitism on college campuses.

³ See Federal Loans, Cal Poly, <https://www.calpoly.edu/financial-aid/types-of-aid/loans/federal-loans>.

⁴ 42 U.S.C. § 2000d *et seq.*

⁵ 34 C.F.R. § 100.3.

assault.”⁶

With increasing frequency, Jewish college and university students are being targeted due to the Jewish people’s connection to Israel. EO 14188, which reaffirms Executive Order 13899, confirms the government’s commitment to using the International Holocaust Remembrance Alliance Working Definition of Antisemitism (the “IHRA Definition”), to determine whether conduct is anti-Semitic.⁷ According to the IHRA Definition, which OCR uses in assessing anti-Semitism complaints, “[h]olding Jews collectively responsible for actions of the state of Israel” is an example of anti-Semitism.⁸

On college campuses, including Humboldt, the word “Zionist” is frequently used as a codeword, proxy term, or dog-whistle for “Jew” among those seeking to disguise their anti-Semitism. Students report being shunned, harassed, marginalized and excluded as “Zionists.” As OCR recognizes, Jews share more than a common faith; they are a people with a shared history and heritage deeply rooted in the land of Israel. Indeed, according to a Pew Research Center survey, eight in ten Jews say that caring about Israel is an essential or important part of what being Jewish means to them.⁹ It is not a mere viewpoint or political opinion. For most Jews, therefore, the ancestral connection to Israel (*i.e.*, Zionism) represents an integral component of their Jewish identity.

Cal Poly Humboldt is one of the many campuses where Jewish students are being targeted as “Zionists” and therefore vilified and mistreated because of their actual or perceived connection to Israel. A hostile environment for Jewish students exists at Cal Poly Humboldt because the administration has failed to adequately respond to the problem, despite having been repeatedly put on notice.

⁶ Exec. Order No. 14188, Additional Measures to Combat Anti-Semitism, 90 Fed. Reg. 8847 (Jan. 29, 2025), <https://www.federalregister.gov/executive-order/14188> [hereinafter EO 14188], § 1.

⁷ See International Holocaust Remembrance Alliance (IHRA), *Working Definition of Antisemitism*, <https://holocaustremembrance.com/resources/working-definition-antisemitism>; see also EO 14188, *supra* note 2; Exec. Order No. 13899 §1, Combating Anti-Semitism, 3 C.F.R. 68779-68780 (2019), <https://www.govinfo.gov/content/pkg/DCPD-201900859/pdf/DCPD-201900859.pdf>.

⁸ International Holocaust Remembrance Alliance (IHRA), *Working Definition of Antisemitism*, <https://holocaustremembrance.com/resources/working-definition-antisemitism>.

⁹ Pew Research Center, *Jewish Americans in 2020: U.S. Jews’ connections with and attitudes toward Israel*, (May 11, 2021), <https://www.pewresearch.org/religion/2021/05/11/u-s-jews-connections-with-and-attitudes-toward-israel/>.

III. Statement of Facts

The following incidents illustrate the presence of severe and pervasive harassment against Jewish students which has created a hostile environment on the Cal Poly Humboldt campus.

A. Club Fair Harassment and Exclusion of Jewish Students.

On September 18, 2024, the University hosted the Fall 2024 Clubs Fair in which all Registered Student Organizations had an opportunity to table on the Quad, connect with the student body and build community.¹⁰ The Jewish Student Group, Chabad at Cal Poly Humboldt (“Chabad”), a recognized student organization that had a table at the fair, was bombarded with anti-Semitic harassment and hate and was ultimately excluded from the fair.

The club is self-described as follows:

This is what we are all about!

To have a space where Jews and Allies of Jews can come together to meet new people. Our goal is “to get more students to do something Jewish!” This is mainly because especially in areas where there is not a large Jewish community many Jewish students will lose their connection to Judaism. So, by creating a space where Jewish students can come together, we can strengthen that connection by meeting other Jews and allies.¹¹

The Chabad table was staffed by Jewish student volunteers and a rabbi, and displayed educational and gift items to share with students. A Jewish student and officer of the club, Student A, was present and experienced the events as follows.

A Cal Poly student approached the table, shouting at Student A and others at the table that the Jewish students were baby killers, genocide supporters and land stealers; the student grabbed items off the table and blocked other students from approaching the table with his intimidating rhetoric and by placing his body in front of the table. The perpetrator also inserted himself physically between the rabbi and students who were engaged in discussion, thereby blocking further conversation. Student A repeatedly reported this alarming and disruptive conduct to the Dean of Students and Associate Dean of Students, who were present at the event, but they

¹⁰ <https://www.humboldt.edu/events/welcome-events?trumbaEmbed=eventid%3D1181545359%26seotitle%3Dnull%26view%3Devent%26-childview%3D%26returnUrl%3Dhttps%253A%252F%252Fwww.humboldt.edu%252Fevents%252Fwelcome-events>.

¹¹ <https://humboldt.presence.io/organization/jewish-student-group-chabad-at-cal-poly-humboldt>.

failed to take any action to stop the individual from disrupting the event or to protect the Jewish students. Instead of addressing the anti-Semitic incident, the Associate Dean for Student Life told the Jewish students that they should leave the fair, thereby depriving them of the same educational opportunities as other students and student clubs to participate in and enjoy the fair.

Upon information and belief, the university failed to discipline the perpetrator. Instead, it issued a two-way no-contact order between the Jewish students at the table and the perpetrator, thereby sending a message that the Jewish students were also to blame. The university took no further action to protect Jewish students and prevent anti-Semitic harassment from recurring; as a result, anti-Semitic incidents at Cal Poly continued and escalated in severity.

B. October 7, 2024 Harassment and Assault of Jewish Students.

On October 7, 2024, the Chabad student club, with prior approval, set up a table on the quad to honor the victims of the October 7, 2023 terrorist attack. Approximately twenty feet from the Jewish student group's table, masked, anti-Israel students congregated in protest, although they had not received prior approval for protest activity. These students drew a circle in chalk around the Jewish students' table with the words "Zio Corner." The term "zio" is an anti-Semitic code word for Jews¹² and was popularized by David Duke, the former Klu Klux Klan leader and "perhaps America's most well-known racist and anti-Semite."¹³ The terms "zio" and "Zionist," are frequently used by anti-Semites in a derogatory manner as substitutes for the word "Jew" and are therefore indicia of anti-Semitism.

The University administration was present when this happened and did not respond or intervene to stop the targeted harassment of Jewish students.

The anti-Israel protestors also disrupted the Chabad group's event by using a megaphone, in violation of school policy.¹⁴ Yet the administrators did not enforce the University's policy to stop the protestors. Some anti-Israel protestors were throwing red paint on the administrative building, as a symbol of blood, while screaming "blood of the martyrs," and then began throwing the red paint at Jewish community

¹² Ben Samuels, How Chicago Dyke March Used 'Zio' – David Duke's Favorite Anti-Semitic Prefix, FORWARD (June 17, 2017), <https://forward.com/news/377160/how-chicago-dyke-march-stumbled-onto-zio-david-dukes-favorite-anti-semitic/>; Ariel Sobel, Why Are Progressives Using an Anti-Semitic Slur Coined by the KKK?, JEWISH J. (June 19, 2019), <https://jewishjournal.com/commentary/columnist/300241/why-are-progressives-using-an-anti-semitic-slur-coined-by-the-kkk/>.

¹³ David Duke, ADL (2016), <https://www.adl.org/resources/news/david-duke>.

¹⁴ Time Place and Manner Policy, CSU, <https://calstate.policystat.com/policy/17089632/latest/>.

members. A masked student threw a red substance at Student A and another Jewish student who were hit in the face and chest.

A faculty advisor was standing next to the Jewish students who were hit, but took no action. Student A and other frightened students pled with administrators including the Dean of Students, Associate Dean of Students and VP for Enrollment Management and Student Success, to call the police, but they refused. When a student called campus police for help, they refused to come.

C. Theft of Jewish Ritual Item.

On October 16th, an etrog, which is a Jewish ritual item used during the Jewish festival of Sukkot, was stolen from the Chabad student group's Sukkah. When Jewish students reported the incident to the Dean of Students, the administration failed to take any action to protect the Jewish students and their property, but instead suggested that the Jewish students disassemble their Sukkah each night to prevent further theft. By telling Jewish students who complained of anti-Semitism to hide evidence of their Jewish identity, the university not only dismissed the Jewish students' concerns, it also shirked its responsibility to take prompt and effective action to address anti-Semitic incidents on its campus. The administration failed to take action to investigate this hate crime or make a statement to the university community condemning it, leaving Jewish students feeling unsafe and unprotected from hate crimes targeting Jewish people on campus.

D. Harassment at "Teach-In."

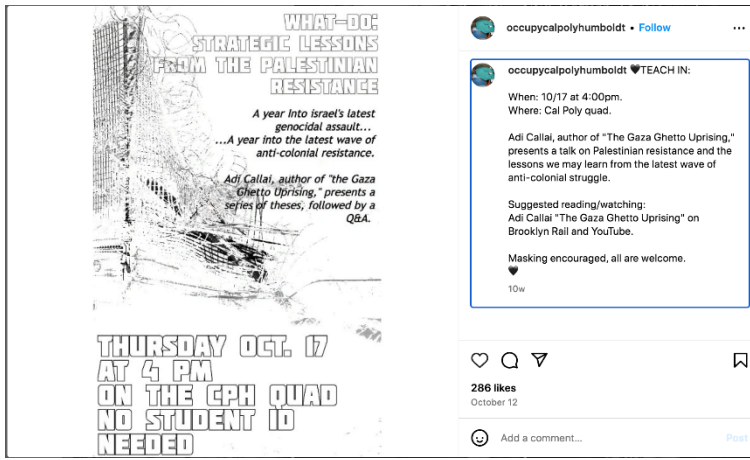
The very next day, on October 17, 2024, student protestors held a "teach-in" event on the theme of "Palestinian resistance" within 10 feet of the Chabad group's Sukkah. The "teach-in" featured a speaker who had previously written in support of the terror group Hamas and characterized the atrocities of the October 7 terrorist attack as "resistance" and "anti-colonial struggle." The event included anti-Semitic speeches that were broadcast with amplified sound, in violation of University policy on time, place and manner restrictions.¹⁵ During the event, participants taunted Jewish

¹⁵ Cal Poly Humboldt Time, Place and Manner of Free Expression

<https://policy.humboldt.edu/emp10-01-policy-time-place-and-manner-free-expression>

Amplification on the UC Quad is limited to between Noon and 1 pm when classes are in session or when events or programs are scheduled in adjacent buildings, except when special advance permission is obtained from the Vice President of Enrollment Management and Student Affairs. Advance permission to use amplification at special times and places shall not be granted or denied on the basis of the content or viewpoint of the activity. In all cases, the sound level of amplification or non-amplified sound, such as drumming, must not exceed one hundred (100) decibels as measured by a sound level meter using the 'A' weighted network (scale) at slow meter response. Decibel meters will measure sound levels at a distance of ten (10) feet directly in front of the source of the sound. Hand-held amplification (e.g., "bullhorns") is considered a sound amplification device under this policy, and all

students by chalking inflammatory anti-Semitic messages near the Sukkah, including “Go away Nazis,” “Death to America,” and “Zionists are all homophobes.”



At least five administrators, including the Dean and Associate Dean of Students, were present at this “teach-in,” but they failed to take any action to enforce school policies against amplification and chalking in unapproved locations.¹⁶ Student A had warned the administration in advance of the event about potential issues, but still the University failed to take precautions to prevent Jewish students from being targeted.

E. Additional Vandalism and Anti-Jewish Hate on Campus

On November 2, 2024, vandals spray painted anti-Semitic slurs, including “KKK = IDF,” equating Israel’s military with the Klu Klux Klan, and shattered the glass doors to Forbes Gymnasium. Demonizing Israel’s military by comparing it to a racist, white supremacist organization that engaged in terrorist acts of murder and violence against innocent civilians (the KKK), is anti-Semitic.¹⁷

amplified sound must conform to the general limitations outlined in Section III.

¹⁶ Cal Poly Humboldt Time, Place and Manner of Free Expression Policy, <https://policy.humboldt.edu/emp10-01-policy-time-place-and-manner-free-expression> (“Only recognized student organizations may seek approval to “chalk” temporary messages on University walkways, or to put out approved temporary signs on stakes in designated landscaped locations, through the Clubs & Activities office, in UC 238, (707) 826-3776.”).

¹⁷ See INT’L HOLOCAUST REMEMBRANCE ALLIANCE, *Working Definition of Antisemitism*, <https://www.holocaustremembrance.com/working-definition-antisemitism> [hereinafter IHRA Definition].



On November 8, 2024, the Chabad student group hosted an event in the Student Activities Center. A protestor lurked outside the event holding a sign displaying a swastika with an “equals” sign and a Jewish star, thus equating Jews with Nazis; the sign also said: “SAME SHIT, DIFFERENT ASSHOLES.” Under President Donald J. Trump’s Executive Order on Combating Anti-Semitism, using symbols of anti-Semitism to characterize Jews is anti-Semitic.¹⁸

¹⁸ See IHRA Definition, *supra* note 18. See also, Executive Order 13899, Combating anti-Semitism, December 11, 2019, 3 C.F.R. §§68779-68780, available at <https://www.federalregister.gov/documents/2019/12/16/2019-27217/combating-anti-semitism> (“EO 13899”); Questions and Answers on Executive Order 13899 (Combating Anti-Semitism) and OCR’s Enforcement of Title VI of the Civil Rights Act of 1964, U.S. Dep’t Educ.—Office for C.R., January 19, 2021, available at <https://www2.ed.gov/about/offices/list/ocr/docs/qa-titleix-anti-semitism-20210119.pdf>.



Apparently aware of the danger posed by this individual to Jewish students, the Vice President of Student Success instructed the Jewish students to leave the event through the back door for their safety. The University did not subsequently share what, if any, steps it took to address this security incident – including how it intends to prevent a similar incident from recurring in the future – and the impact that this incident had on Jewish students’ sense of safety at Cal Poly. The University did not even publicly condemn the vile anti-Semitic messaging intended to demonize its Jewish students on the basis of their identity.

F. Jewish Students at Cal Poly have been Negatively Impacted by the anti-Semitic Harassment and Hostility

As a result of the severe and pervasive anti-Semitic harassment and anti-Jewish hostility at Cal Poly, Jewish students have feared for their safety on campus and have been denied opportunities to participate fully in campus life, free from intimidation, harassment and discrimination. The climate was so intolerable for Student A, that he left campus entirely and is completing his senior year remotely, thereby deprived of all of the benefits of campus life and restricted to the limited selection of classes offered online.

IV. Legal Argument: Cal Poly Humboldt Has Violated Title VI.

A. Title VI protects Jewish students from harassment and discrimination based on their shared ancestry.

Title VI prohibits discrimination on the basis of race, color, or national origin in educational institutions that receive federal funding.¹⁹ Guidance issued by OCR and DOJ in 2004, 2010, 2017, and 2023 specifies that Title VI covers discrimination against Jews on the basis of their “actual or perceived shared ancestry or ethnic characteristics.”²⁰

According to Executive Order 13899 (the “Executive Order”), which has been incorporated into OCR’s current policy guidance and recently reinforced through President Trump’s January 29, 2025 Executive Order (“New Executive Order”) on Additional Measures to Combat Anti-Semitism, Title VI must be enforced “against prohibited forms of discrimination rooted in anti-Semitism as vigorously as against all other forms of discrimination prohibited by Title VI.”²¹ The Executive Order incorporates the International Holocaust Remembrance Alliance Working Definition of Anti-Semitism (the “IHRA Definition”), which states that “the denial to Jews of opportunities or services available to others” is “antisemitic discrimination.”²² As the

¹⁹ 42 U.S.C. §2000d *et seq.*

²⁰ See *Dear Colleague Letter*, U.S. DEPT OF EDUC.—OFFICE FOR C. R. (Nov. 7, 2023), <https://www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-202311-discrimination-harassment-shared-ancestry.pdf>; (“2023 Dear Colleague Letter”); see also *FACT SHEET: Protecting Students from Discrimination Based on Shared Ancestry or Ethnic Characteristics* (Jan. 4, 2023), <https://www.ed.gov/media/document/ocr-factsheet-shared-ancestry-202301.pdf> *Know Your Rights: Title VI and Religion*, U.S. DEPT EDUC.—OFFICE FOR C.R., January 17, 2017, <https://www2.ed.gov/about/offices/list/ocr/docs/know-rights-201701-religious-disc.pdf>; Letter from Assistant Secretary for Civil Rights Russlyn Ali, U.S. DEPT OF EDUC.—OFFICE FOR C. R., October 26, 2010, <https://files.eric.ed.gov/fulltext/ED512473.pdf> (“2010 Dear Colleague Letter”); Letter from Thomas E. Perez, Assistant Att’y Gen., DEPT OF EDUC.—OFFICE FOR C. R., to Russlyn H. Ali, Assistant Sec’y for C.R., DEPT OF EDUC.—OFFICE FOR C. R., *Re: Title VI and Coverage of Religiously Identifiable Groups*, September 8, 2010, https://www.justice.gov/sites/default/files/crt/legacy/2011/05/04/090810_AAG_Perez_Letter_to_Ed_OCR_Title%20VI_and_Religiously_Identifiable_Groups.pdf; Kenneth L. Marcus, *Title VI and Title IX Religious Discrimination in Schools and Colleges: Dear Colleague Letter*, DEPT OF EDUC.—OFFICE FOR C. R. (Sept. 13, 2004), <https://www.ed.gov/media/document/religious-rights2004.pdf>.

²¹ EO 13899, §1; see also Questions and Answers on Executive Order 13899 (Combatting Anti-Semitism) and OCR’s Enforcement of Title VI of the Civil Rights Act of 1964, U.S. Dep’t Educ.—Office for C.R., January 19, 2021, available at <https://www2.ed.gov/about/offices/list/ocr/docs/qa-titleix-anti-semitism-20210119.pdf>.

²² EO 13899, §2; <https://holocaustremembrance.com/resources/working-definition-antisemitism>.

IHRA Definition states, criticism of Israel similar to that leveled against any other country is not anti-Semitism. But demonizing the Jewish State, calling for its destruction, holding Jews collectively responsible for the actions of the state of Israel, denying the Jewish people the right to self-determination—and/or subjecting Israel to double standards are classic earmarks of anti-Semitism.

The New Executive Order highlights the urgency of eradicating anti-Semitism on college campuses, stating:

This order reaffirms Executive Order 13899 and directs additional measures to advance the policy thereof in the wake of the Hamas terrorist attacks of October 7, 2023, against the people of Israel. These attacks unleashed an unprecedented wave of vile anti-Semitic discrimination, vandalism, and violence against our citizens, especially in our schools and on our campuses. Jewish students have faced an unrelenting barrage of discrimination; denial of access to campus common areas and facilities, including libraries and classrooms; and intimidation, harassment, and physical threats and assault.²³

The New Executive Order also affirms that “[i]t shall be the policy of the United States to combat anti-Semitism vigorously, using all available and appropriate legal tools, to prosecute, remove, or otherwise hold to account the perpetrators of unlawful anti-Semitic harassment and violence.”²⁴

For purposes of Title VI, harassment creates a “hostile environment” when, based on the totality of the circumstances, the harassment “is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from the recipient’s education program or activity.”²⁵ A Title VI recipient like Cal Poly Humboldt “must take immediate and effective action to respond to harassment that creates a hostile environment.”²⁶ Further, a university can violate Title VI if peer harassment “is sufficiently serious that it creates a hostile environment and such harassment is encouraged, tolerated, not adequately addressed, or ignored by school employees.”²⁷ And a university must respond to discriminatory harassment when such harassment “negatively affect[s] the ability and willingness of Jewish students to participate fully in the school’s education

²³ Executive Order, “Additional Measures to Combat Anti-Semitism,” (Jan. 29, 2025), <https://www.whitehouse.gov/presidential-actions/2025/01/additional-measures-to-combat-anti-semitism/>.

²⁴ *Id.*

²⁵ *See* 2023 Dear Colleague Letter at 2.

²⁶ *Id.*

²⁷ *See* 2010 Dear Colleague Letter at 1; *see also* 2017 Know Your Rights: Title VI and Religion.

programs and activities.”²⁸

A university must respond to harassment about which it “knew or reasonably should have known.”²⁹ Once it is aware of a hostile environment, the university has a legal duty to “take prompt and effective action reasonably calculated to end the harassment, eliminate any hostile environment and its effects, and prevent the harassment from recurring.”³⁰

B. Cal Poly Humboldt fails to address the hostile environment on its campus.

Cal Poly Humboldt has violated Title VI by allowing a hostile environment to develop on its campus and failing to address it promptly and effectively. The recurring incidents of anti-Semitism targeting Jewish students at Cal Poly – including assaultive conduct, verbal and physical intimidation, and anti-Semitic graffiti, and disruptions of Jewish events on campus – are clearly severe and pervasive, and have had a profound negative impact on Jewish students. Jewish students have been targeted and subjected to anti-Semitic harassment from their peers on the basis of their Jewish identity while tabling for the Chabad student club, referred to as “zios” and assaulted at an event commemorating Hamas’ October 7 terrorist attacks, and confronted with anti-Semitic graffiti on campus that disparages Jews because of their support for Israel.

The resulting hostile climate has prevented Jewish students from accessing the opportunities and benefits of their education at Cal Poly Humboldt. Jewish students were forced to leave the club fair early because of the anti-Semitic harassment, were directed to take down their Sukkah each night to avoid further targeting, and were instructed by university administrators to leave an event commemorating October 7th through a back door due to a security incident. Student A has missed classes due to the hostile climate and ultimately left campus entirely to avoid the harassment and hostile environment.

The University had actual knowledge of the recurring anti-Semitic incidents on its campus because Jewish students repeatedly reported the incidents directly to administrators and on several occasions university administrators even witnessed the anti-Semitic incidents when they occurred. Administrators were present at the

²⁸ See 2023 Dear Colleague Letter at 2; *see also* 2010 Dear Colleague Letter at 2-3 (stating that a Title VI recipient “must take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment, and prevent the harassment from recurring”); *see also* Know Your Rights: Title VI and Religion, U.S. DEPT EDUC.–OFFICE FOR C.R. (Jan. 17, 2017), Dear Colleague Letter at 1; *see also* Know Your Rights: Title VI and Religion, U.S. DEPT EDUC.–OFFICE FOR C.R. (Jan. 17, 2017), <https://www.ed.gov/media/document/know-rights-201701-religious-discpdf>.

²⁹ *See* 2010 Dear Colleague Letter.

³⁰ *Id.* at 2-3.

Club Fair when Jewish students were harassed and intimidated by another student who disrupted their tabling event for Chabad, at the tabling event on October 7, 2024 where red paint representing fake blood was thrown on Jewish students and a campus building, and at the “teach-In” on October 17, 2024 where students purposefully harassed and taunted Jewish students with anti-Semitic messages while the Jews tried to observe the high holiday of Sukkot.

Despite knowing about the numerous anti-Semitic incidents on its campus, the University has not fulfilled its legal obligation to “take prompt and effective action reasonably calculated to end the harassment, eliminate any hostile environment and its effects, and prevent the harassment from recurring.”³¹ For instance, at the club fair, “teach-in” and October 7 commemoration, administrators witnessed anti-Semitic conduct, but took no action to address or stop it. Instead of taking responsibility and fulfilling its legal obligation to protect students from harassment and discrimination, the university has indicated to Jewish students that they should hide public displays of Jewish identity (e.g. by taking down the Sukkah nightly), and hide altogether (e.g. leave the club fair) in order to avoid being targeted.

V. Suggested Remedies

In light of Cal Poly Humboldt’s failure to take prompt and effective steps to protect Jewish students and eliminate the hostile environment, Complainants urge OCR to require Cal Poly Humboldt to take the following steps to come into compliance with Title VI:

1. Reimbursement for medical and mental health services incurred by Student A as a result of the anti-Semitic discrimination experienced at Cal Poly.
2. Incorporate Executive Order 13899 and the IHRA Definition of anti-Semitism including its guiding examples into Cal Poly Humboldt’s policies and policy manuals related to discrimination and codes of conduct; clarify its commitment to use the Definition as intended under EO 13899 when evaluating complaints to determine anti-Semitic intent; and amend its codes, policies, and procedures concerning discrimination, retaliation, intimidation, harassment, bullying, and violence to clarify that conduct falling within the IHRA definition and examples will be considered discriminatory treatment in violation of those codes, policies, and procedures.

³¹ 2010 Dear Colleague Letter.

3. Recognize and integrate into applicable policy and conduct code, that “Zionism” is often a codeword for “Jew” and that Zionism is integral to the Jewish identity of many Jewish Americans. This should be done to the standard found [here](#), [here](#), and [here](#), or higher.
4. Provide mandatory training on anti-Semitism to all Cal Poly Humboldt administrators, faculty, students, and staff who interact with Cal Poly Humboldt students, including resident advisors. The training should familiarize all members of the community with traditional as well as contemporary anti-Semitic stereotypes and conspiracy theories and their social and political functions, so that the Cal Poly Humboldt community will be able to better identify and respond to anti-Semitic incidents in the future, particularly those that involve Jewish ethnicity and shared ancestry connected to Israel.
5. Issue a statement denouncing anti-Semitism in all its forms. We recommend that Cal Poly Humboldt use the following language:

We condemn anti-Semitism in all its forms. Humboldt is committed to taking all necessary actions, including discipline where appropriate, to address and ameliorate discrimination and harassment based on actual or perceived shared ancestry or ethnicity, including anti-Semitism that manifests as anti-Zionism. We recognize that Zionism is a key component of the shared ancestral and ethnic identity of many Jewish Americans, including many Cal Poly students. Efforts to harass, marginalize, and exclude Zionists because they express this part of their Jewish ancestral and ethnic identity is contrary to Cal Poly’s institutional values and nondiscrimination and conduct codes. Anti-Semitic harassment, bullying, and targeting are unacceptable.

To that end, Humboldt will utilize the IHRA Working Definition of anti-Semitism as required by law when investigating and responding to incidents of harassment and discrimination to determine whether they are motivated by anti-Semitic animus or bias. Cal Poly encourages the campus community to educate itself about the many manifestations of anti-Semitism by reading and studying the IHRA Definition and its contemporary examples.

6. Enforce Cal Poly Humboldt’s policies against vandalism and make clear that such conduct violates University policy and will not be tolerated.
7. Establish and enforce policies forbidding protests in classroom buildings, dormitories, libraries, dining halls etc.

8. Implement a ban on masked protests (see here). Student groups that do not comply lose their Cal Poly Humboldt recognition. Students who do not comply will face appropriate discipline.
9. Implement a ban on non-student protest activity on campus.
10. Implement a “zero tolerance” policy for classroom and learning environment disruptions.
11. Modify relevant university educational programs and trainings to ensure appropriate inclusion of Jewish identity, including the Zionist component of Jewish identity, and communicate and enforce a zero-tolerance policy for antisemitic and anti-Zionist conduct.
12. Add additional security measures to protect students, including security cameras in the dormitories and around the campus.
13. Publicly share and announce information on disciplinary outcomes to the extent allowable under FERPA.
14. Make a public acknowledgment that the chanting of “from the river to the sea,” “intifada,” “there is only one solution, intifada revolution,” “by any means necessary,” “resistance is justified” and any other similar chants constitute a call to violence and the elimination of Jews and the Jewish state, which Cal Poly Humboldt condemns.
15. Institute policies forbidding teaching staff from pressuring students to engage in political activism (including the cancelling of class to promote attendance at campus protests, encouraging students to attend campus protests during class time and offering extra-credit or other incentives for attending such protests).
16. Conduct an audit and report of financial support to Cal Poly Humboldt and Cal Poly Humboldt affiliates from actors that finance antisemitic speech and terrorist organizations.
17. Create an ombudsman to address antisemitism complaints on campus.
18. Create a permanent academic center for the study of antisemitism.
19. Create a long-term task force, with a membership selection process agreed upon, for addressing antisemitism on campus, with power, authority, and

jurisdiction, to report directly to Cal Poly Humboldt's President and Board of Trustees. The task force shall be responsible for, among other tasks:

- a. Review of academic rigor of classes, panels, forums, and other academic programs, including student group programs, reported to have antisemitic content.
- b. Review and audit of the modification of any programs or trainings on discrimination to include appropriate inclusion of Jewish identity, including the Zionist component of Jewish identity, and communicate and enforce a zero-tolerance policy for antisemitic and anti-Zionist conduct.
- c. Promote understanding of Jewish history, culture, the Holocaust, the history of Israel, and the evolution of antisemitism.
- d. Propose and implement broad initiatives to educate Cal Poly Humboldt students and faculty about antisemitism.

20. Commit to rejecting any Boycott Divest and Sanction measures targeting Israel, Israelis, or Israeli businesses.

VI. Conclusion

For the foregoing reasons, Complainants urge OCR to initiate an investigation of Cal Poly Humboldt, a recipient of federal funding, for violations of Title VI and the statute's implementing regulations.

Respectfully submitted,



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