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I. INTRODUCTION

StandWithUs, a non-profit organization with the mission of educating about Israel and fighting antisemitism, the Anti-Defamation League (“ADL”), a leading anti-hate organization committed to stopping the defamation of the Jewish people and securing justice and fair treatment to all, and the Louis D. Brandeis Center for Human Rights Under Law (“Brandeis Center”), a national non-profit legal advocacy organization that works to combat anti-Semitism in higher education and protect the rights of Jewish students and all students (collectively, “Complainants”), respectfully submit this letter of complaint pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq. (“Title VI”).

This complaint alleges discrimination and harassment experienced by current Ohio State University (“OSU” or the “University”) students¹ as a result of their actual or perceived Jewish ethnicity/shared ancestry and/or Israeli national origin, as well as a series of incidents that have created a hostile antisemitic campus climate at OSU for Jewish and Israeli students.

Despite ample notice to the University, OSU has failed to remediate these issues adequately. OSU has contributed to a hostile climate for Jewish and Israeli students through inconsistent or

¹ Complainants are in direct contact with students whose experiences of antisemitism are detailed herein and can facilitate interviews between the students and the Office for Civil Rights.

deliberate inaction, refusal to enforce its own policies, dismissiveness toward Jewish students' concerns, and at times unequal treatment of its Jewish and Israeli students as compared with other minority groups on campus. As a result, Jewish students have been deprived of the ability to fully and equally participate in the educational opportunities available to other OSU students. Complainants seek remedies under Title VI both for those students and for other Jewish and Israeli students who are or will be affected by the antisemitic hostile environment that is now pervasive at OSU.

The Complainants also request mediation pursuant to Section 201(a) of OCR's Case Processing Manual and have provided signed consent forms.

If OSU does not agree to such mediation, or such mediation is unsuccessful, we urge your Office to investigate thoroughly the hostile environment at OSU experienced by these students and others due to their Jewish ancestry or ethnicity and Israeli national origin, actual or perceived. If your investigation concludes that OSU has indeed violated Title VI, we urge your Office to impose swift and concrete remedies, including those suggested below.

II. ANTISEMITISM AND JEWISH IDENTITY

A survey released in March 2024 by ADL and Hillel International found 73% of Jewish college students had experienced or witnessed antisemitism since the start of the school year. The same survey found that more than half of Jewish university students feel physically unsafe on campus because of their Jewish identity. A majority of all students—Jewish and non-Jewish—feel that their university has not done enough to address anti-Jewish prejudice on campus.² According to another recent survey, more than one-third of Jewish college students have felt compelled to conceal their Jewish identity on campus.³

With increasing frequency, Jewish students on campuses across the country are being targeted due to the Jewish people's connection to Israel. Students report being shunned, harassed and marginalized as "Zionists." The U.S. National Strategy to Counter Antisemitism, released in May 2023, noted that "Jewish students and educators are targeted for derision and exclusion on college campuses, often because of their real or perceived views about the State of Israel. When Jews are targeted because of their beliefs or their identity, when Israel is singled out because of anti-Jewish hatred, that is antisemitism. And that is unacceptable."⁴ According to the International Holocaust Remembrance Alliance Working Definition of Antisemitism (the "IHRA Definition"), "[h]olding Jews collectively responsible for actions of the state of Israel" is an example of antisemitism.⁵

² *Campus Antisemitism: A Study of Campus Climate Before and After the Hamas Terrorist Attacks*, ADL (Nov. 29, 2023), <https://tinyurl.com/d2j7ue4z>.

³ Hillel International, *More Than One-Third of Jewish College Students Are Forced to Hide Their Jewish Identity*, New Hillel Poll Finds (Nov. 20, 2023), <https://tinyurl.com/25wd5jjx>.

⁴ The U.S. National Strategy to Counter Antisemitism, May 2023 at 9.

⁵ International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism, (<https://holocaustremembrance.com/resources/working-definition-antisemitism>)

As illustrated by ADL’s Pyramid of Hate,⁶ shunning and exclusion do not occur in a vacuum. When biased attitudes are not addressed or challenged, they frequently escalate to biased and discriminatory conduct. 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 survey, eight in ten Jews say that caring about Israel is an essential or important part of what being Jewish means to them.⁷ It is not a mere viewpoint or political opinion. For most Jews, Zionism represents their Jewish ancestry, namely, the historic reality that the Jews as a people originated in ancient Israel. For the majority of Jews, therefore, this ancestral connection to Israel (*i.e.*, Zionism) represents an integral component of their Jewish identity.

III. STATEMENT OF SUPPORTING FACTS

On October 7, 2023, thousands of Hamas terrorists invaded Israel via land, air, and sea. They murdered over 1,200 Israelis—largely civilians, injured 6,900, and abducted over 240 as hostages. Over the course of their attacks, the Hamas terrorists raped, mutilated, tortured, and burned alive many of their victims, including babies and the elderly. In the wake of this terrorist attack, hateful anti-Zionist and anti-Jewish groups and individuals have been emboldened on and around campuses across the country,⁸ leading to increased harassment and threats of violence toward Jewish and Israeli students. Unfortunately, OSU has become a prime example of such a campus, where hostility towards Jews and Israelis thrives and where the university administration has failed in its duties to protect those students through enforcement of its own rules and compliance with its legal obligations. The climate of antisemitism is so severe and pervasive at OSU that the University recently ranked among the top 25% of antisemitism “hotspots” in a survey of 2,000 Jewish undergraduates from 51 campuses across the United States.⁹

Since October 7, antisemitism on and around OSU’s campus has run the gamut, including: outright physical assault of Jewish students; antisemitic and threatening graffiti in classrooms and other university facilities; disruption of classrooms, walkway and library spaces; removal of posters and photos of kidnapped Israelis; and antisemitic verbal taunts and threats directed at individual OSU Jewish students. OSU and its Office of Institutional Equity (OIE)—despite a declared [commitment to eliminating discrimination and harassment](#) on the basis of Jewish ethnicity and Israeli national origin—have grossly failed in their duty to protect Jewish and Israeli students from such attacks.

⁶ ADL Pyramid of Hate (https://www.adl.org/sites/default/files/pyramid-of-hate-web-english_1.pdf)

⁷ <https://www.pewresearch.org/religion/2021/05/11/u-s-jews-connections-with-and-attitudes-toward-israel/>

⁸ OCR’s own data bear out this alarming trend. According to OCR’s own [“List of Open Title VI Shared Ancestry Investigations.”](#) an unusually large number of Title VI investigations of schools for alleged discrimination involving shared ancestry have been opened after October 7, 2023. A Department of Education spokesperson [reported](#) that, as of January 30, 2024, two-thirds of the complaints received since October 2023 related to allegations of antisemitism. In early February 2024, the Department of Education [reportedly](#) informed Congress that 183 shared ancestry complaints had been filed since October 7, 2023.

⁹ See [In the Shadow of War: Hotspots of Antisemitism on US College Campuses](#), published by the Brandeis University’s Cohen Center for Modern Jewish Studies (December 2023).

Below is a description of numerous antisemitic incidents faced by Jewish and Israeli students on OSU's campus and the University's inadequate response to them. Complainants note that in addition to the notice given to the University at the time these incidents occurred, StandWithUs sent OSU a [letter dated January 15, 2024](#), detailing a majority of these incidents. OSU did not formally respond to this letter. We respectfully request that, in the event mediation does not successfully resolve this complaint, OCR investigate these incidents and compel OSU to take immediate action to remediate the pervasively hostile environment for Jews and Israelis on OSU's campus.

A. OSU Has Failed to Address Adequately Physical Assaults Targeting OSU Jewish Students, Both On and Off Campus.

1) Jewish students were spat upon and harassed for their Jewish identity.

About one-week after the October 7 terrorist attack, a non-Jewish sorority was selling "I love Israel" bracelets on campus. Hillel staff was there for most of the tabling time. When the Hillel staff left, two students walked by and spat on the women selling bracelets, who were Jewish. Hillel staff came back to the table, and the students reported it to the university. **We respectfully request that OCR investigate whether and to what extent OSU failed to address this and the following incidents, including by failing to investigate those involved for violations of its [Code of Student Conduct](#) and failing to abide by other applicable campus policies.**

2) Jewish students had pennies thrown at them by fraternity members

Another assault against Jewish students occurred on October 20, 2023, when members of the Phi Psi fraternity – who are required by OSU's [Sorority and Fraternity Life rules](#) to attend at least one program on diversity, inclusion, or Social Justice each semester – threw pennies at Jewish students, not only assaulting them, but at the same time invoking the age-old antisemitic trope of Jews as cheap and/or greedy. The incident was reported to the OIE, but once again, nothing was done to condemn the incident or to ensure protection of Jewish students on campus. According to Complainants' information, no administrative statements were issued; no investigation of the fraternity was announced or implemented; no punitive actions were taken against the perpetrators; and no increased security was provided for the students most at risk of further attacks. Needless to say, this incident was also not reported in a Public Safety Notice or logged on the university's daily crime log. **We respectfully request that OCR investigate this incident, especially the extent to which OSU failed to enforce its own policies, including but not limited to sections (B) and (K) of the Code of Student Conduct (respectively, "Endangering health or safety" and "Disorderly or disruptive conduct"). We respectfully request that OCR investigate OSU's failure to impose appropriate penalties against the students who committed the offense and their fraternity chapter, and the extent to which the university's response to these incidents targeting Jewish students differed from its response to similar incidents targeting others.**

3) Multiple students have been violently assaulted because of their Jewish Identity.

One month after the October 7 attack, two Jewish students were violently assaulted just steps off-campus on North High Street. There was a small group of Jewish students walking to an OSU Sorority House, when two men from behind started to shout at them, “Free Palestine.” When the two men caught up to the group of five Jewish students, one of them saw that a person in the group was wearing a Hebrew-lettering *Chai* necklace and called him a “Zionist kike.” He pointed at that Jewish student and asked, “Are you a Jew?” He then proceeded to ask all five of them if they were Jews, pointing at them one-by-one. The student wearing the Chai necklace acknowledged that they were Jewish, and then seconds later, one of the two men that moments earlier was chanting “Free Palestine” punched one of the Jewish students straight across the face and threw him into the street. The other individual who was chanting punched another one of the Jewish students across the face just seconds later. The two attackers, after committing a vicious antisemitic attack, fled the scene. The Jewish students immediately went to the OSU Wexner Medical Center on campus to seek medical attention. Both students who were violently assaulted suffered serious injuries: one student had a broken nose, and the other a broken jaw.

Unfortunately for the Jewish students the horrors of that night did not end there.

After arriving at the OSU Medical Center, only the one student who was bleeding profusely and needed immediate medical care was seen, and he was allowed only one guest. The other Jewish students, including the other student who had been violently assaulted, were made to wait outside in the freezing cold for over five hours, while their friend sought immediate medical care. The Jewish students, who had just been assaulted for their Jewish identity mere steps from campus, were now denied entrance into their own university’s hospital waiting room. The students were denied entry to the building even to charge their cell phones so that they could contact friends and family. Even after subsequent complaints were made about this mistreatment, through the time of filing of this complaint, no one from the University hospital has contacted the students to let them know why they were treated in this manner or to identify any policies or procedures that would be changed to ensure that such mistreatment is not repeated. In addition, because of the mistreatment, the second Jewish student who was violently assaulted (and woke up in pain with a swollen jaw) did not seek treatment at the OSU Medical Center. Instead, he flew back to his home, at considerable expense, to seek medical attention, where he learned that his face was swollen due to a fractured jaw.

To this day, months after this assault, one of the Jewish students who was violently attacked that evening has changed everything about how he approaches Jewish life and his Jewish experience on campus. The student reports that he ensures that his Chai necklace is tucked into his shirt when he is on campus so that he is not readily identifiable as a Jew. He avoids the Student Union and library so that he is not surrounded by antisemitic protests, and he is fearful of attending Chabad as he used to because he is worried about the continued targeting of Jewish institutions at OSU’s campus. In short, the student has been forced to check his Jewish identity at the gate to feel safe on his own college campus.

The foregoing violent incident, along with other on-campus hate incidents, led to the Governor speaking out immediately. “We will not tolerate hate and violence on our college campuses or anywhere in Ohio,” said Governor DeWine. [“These are despicable acts, and as Governor, I will ensure that the State continues our efforts to protect all Ohio students.”](#)

This violent antisemitic attack occurred just steps from campus, and on the heels of other on-campus antisemitic incidents/events. **We respectfully request that OCR investigate what, if any, resources OSU has devoted to investigating these incidents, and what immediate/permanent increased security protocols were put in place to keep Jewish students safe at and around OSU’s campus.**

4) OSU’s inaction has encouraged further harassment of Jewish students on campus, causing these students to avoid spaces and events on campus, thus preventing them from fully participating in campus life.

On December 9, 2023, a Jewish student wearing a sweatshirt bearing the words “Am Yisrael Chai” (“the people of Israel live”) in the shape of a Jewish star was confronted on the way to his final exam by another student who told him to “take that f-ing shirt off now.” The Jewish student expressed the fear this caused him and other Jews in a social media post, writing, in relevant part, “I AM F[***]ING SCARED. WE ARE F[***]ING SCARED. Universities are not doing ANYTHING.”

Further examples of such a hostile climate continued into 2024: Complainants are informed that on January 26, 2024, a Jewish student living in off-campus housing found that their mezuzah (a symbol of their Jewish identity) had been torn from their doorpost and thrown on the ground, and that on February 23, 2024, a Jewish student’s dorm room door was vandalized with graffiti reading, “Free Palestine.” On February 2, 2024, Jewish students eating Shabbat dinner at the campus Hillel were interrupted by students banging on the Hillel windows and shouting, “Free Palestine!”

In some cases of harassment by non-students on OSU’s property, Jewish students called the police and OSU banned the perpetrators from campus, but it is unclear what concrete measures OSU has taken to actually protect Jewish students from further harassment even by those same individuals. On February 15, 2024, for example, Jewish students at the Ohio Union trying to gather signatures on a petition against antisemitism were confronted by a man saying he would not sign because he wants to “kill Jews.” The students called the police and this man was officially banned from entering campus, but Complainants are unaware of any additional security measures taken by the university to actually enforce such a ban. The following day, someone stole an Israeli flag from the Ohio Union after a multicultural event there and proceeded to flash a “white power” sign and harass Jewish students. Again, students called the police and OSU banned the perpetrator from campus, but it is not clear what actual additional security measures were implemented to enforce this ban. Moreover, to Complainants’ knowledge, OSU failed to issue any Timely Warning alerts to the OSU community about these incidents or even to label

them appropriately to reflect their apparent anti-Jewish bias motivation.¹⁰ Additionally, Complainants are unaware of any statements by University officials condemning these actions or expressing support for OSU's Jewish community in the aftermath of these incidents.

OCR must investigate whether OSU has taken action to protect its Jewish and Israeli students from this type of harassment on campus, whether it appropriately recorded and reported the incidents as required by the Clery Act to reflect their anti-Jewish motivation, and whether the administration's response to these incidents was comparable to its response to harassment of other students based on other protected characteristics.

B. Verbal Harassment, Vandalism, and Threats Against Jewish Students Remain Unaddressed.

The physical assaults described above are far from the only instances of antisemitic harassment of Jewish students occurring on and around campus since October 7 as to which OSU has failed to take meaningful remedial action. For instance, on October 23, 2023, on the Main Oval, a man harassed a female Jewish student by invoking a classic antisemitic canard, telling her she had a "Jewish nose." The student promptly reported the incident to the OIE, which responded with a form email assuring that it would be "working on this matter." Several months later, the student has received no further correspondence from the OIE; it appears that OIE did nothing to address the incident.

Similarly, on October 18, 2023, a professor witnessed a student threaten to kill pro-Israel students during classroom discussion and, appropriately, removed that student from the class. However, that student was subsequently allowed to attend classes, having apparently faced no disciplinary action from the University. On October 23, 2023, an OSU student in an OSU dormitory stated into their phone that "Jews are bloodthirsty" while standing next to a Jewish student wearing a Jewish star. The student reported this incident to the campus police, but, thus far, it appears no further action has been taken.

We respectfully request that OCR investigate what, if any, resources OSU has devoted to investigating these violations of its Code of Student Conduct and to deterring harassment of Jewish students on its campus.

In the hostile climate fostered by OSU's inaction, on December 3, 2023, two individuals approached a Jewish fraternity house early in the morning while [yelling antisemitic slurs and throwing bottles](#) at the residence. Fraternity members inside the house called the Columbus police, who took over an hour to arrive. The fraternity members themselves alerted several Jewish organizations as well as the OIE about the antisemitic attack. **Complainants are not aware of any response by the OIE and respectfully request that OCR investigate what**

¹⁰ OSU's [Daily Crime Log](#) lists an incident on February 15, 2024, at the Ohio Union, which it categorized as "Disorderly Conduct _ offensive gesture or noise" and another incident at the Ohio Union the following day which it categorized as "Disorderly Conduct (CCC) Engage in fighting." If indeed these entries relate to the antisemitic harassment described herein, there is no indication in this log regarding the antisemitic nature of the offenses.

actions, if any, the OIE undertook in response to this report by the Jewish fraternity members.

The following day, the Senior Vice President of Administration and Planning at OSU reportedly informed the head of a Jewish organization on campus that OSU had a photo of the perpetrators and would be interviewing them the following day. He also indicated that the University would review the incident against the Code of Student Conduct and take appropriate further action. However, there is no indication that OSU did any of this, and **Complainants respectfully request that OCR investigate what steps, if any, the administration took to apprehend and discipline the perpetrators. If no such action was taken, Complainants request that OCR determine why OSU failed to act, as well as why it misled the Jewish community on campus regarding the actions the University would be taking.**

Because the perpetrators have not been caught, creating an ongoing threat to the Jewish community on and around campus, Complainants believe the University should have issued a Public Safety Notice, which is supposed to issue “when a serious crime occurs that demonstrates an ongoing threat to the campus community.”¹¹ **We respectfully request that OCR investigate whether a deliberate determination was made by OSU not to issue such a notice, and if so, whether such a determination was proper under applicable campus policies.**

C. Antisemitic Demonstrations and Graffiti Proliferate Unlawfully on Campus with OSU Complicity and Inaction.

Since October 7, antisemitic statements at OSU have also been ubiquitous at gatherings on campus, chanted as slogans at anti-Zionist demonstrations—including those sponsored and promoted by registered student organizations—or plastered on walls throughout the university. **We respectfully request that OCR investigate whether and to what extent OSU failed to address the following incidents, including by failing to abide by its own university policies and by failing to investigate those involved for violations of its [Code of Student Conduct](#) and other applicable policies.**¹² In particular, Complainants call OCR’s attention to the fact that the Code of Student Conduct applies to any activity, *on or off campus*, by both individual students and student organizations, which “causes or threatens serious harm to the safety or security of members of the university community; or... which could constitute a criminal offense as defined by local, state or federal law, regardless of the existence or outcome of any criminal proceeding.”

¹¹ According to OSU’s Department of Public Safety, the Police Division [issues](#) Public Safety Notices “when a serious crime occurs that demonstrates an ongoing threat to the campus community.” The attack on the Jewish fraternity house unquestionably qualifies as such a threat. Two days after that attack, [over 150 people rallied](#) on the South Oval to speak out against it and other recent antisemitic incidents at OSU, in a clear demonstration that these attacks are more than isolated incidents and that they affect the broader campus community.

¹² Complainants also ask that OCR determine whether OSU’s stated principles embodied by its [Shared Values](#), which were incorporated by reference in the [latest version](#) of the Code of Student Conduct, were applied differently with respect to Jewish students than with respect to other students.

On December 6, 2023, Jewish students found flyers throughout campus advertising an event, sponsored by a student organization called the Central Ohio Revolutionary Socialists (“CORS”), scheduled for the following day in an OSU classroom. The event was titled, “Intifada, Revolution, and the Path to a Free Palestine.” Apart from the title, which expressly calls for violence and the destruction of Israel, the flyers (pictures of which may be seen in the Appendix) contained images promoting violence, and in some instances included the logo of the [PFLP](#), a Designated Foreign Terrorist Organization according to the US State Department. When apprised of the signs, OSU informed campus Jewish leadership that maintenance would take down the flyers. It also informed campus Jewish leadership that “the student group has been informed that they do not have the space reserved that is indicated on the event poster.” **Despite having full knowledge about the event before its scheduled time, possible violations of the OSU University Space Rules, and a potential threat to campus safety,¹³ and despite claiming that it cancelled the event, OSU took no action to prevent the use of its building for the event itself, which went forward as planned. We respectfully request that OCR investigate why OSU refused to enforce its rules with respect to an event whose very title and advertisements promoted terrorist violence against Jews and Israelis.**

Early [reports](#) from CORS itself in January 2024 claimed that OSU suspended CORS’ “registration [as a student organization], temporarily and immediately, pending a full investigation by Student Conduct in the Office of Student Life” after the Dean of Students determined that there was “reasonable cause to believe [its] activities pose a significant risk of substantial harm to the safety or security of [the] organization’s members, other members of the university community or to university property.” However, Complainants could not confirm that CORS was ever actually formally suspended from using OSU’s resources.

According to CORS’ own social media posts, its student leaders met with OSU administrators on January 8, 2024, and as of January 13, 2024, the group had already been officially granted the “right to meet on campus.” By January 31, 2024, CORS claims it received a letter from OSU’s

¹³ According to these rules, classrooms “may be reserved for activities or events that support the University’s teaching, research, and service missions, the University’s administrative functions, or students’ campus-life activities consistent with these rules.” Section A. “Students are expected to conduct themselves in accordance with all University policies, the Code of Student Conduct, and state and federal laws.” Section F. And, “When enforcing these rules, an official or employee authorized to maintain order on the campus or facility should make a reasonable attempt to warn and advise registered student organizations, students, faculty, staff and non-affiliates to cease the prohibited conduct or activity before citing and/or arresting the individual for violation of these rules, *except where the conduct violating these rules reasonably appears to create a threat to or endanger health, safety or property.*” Section F (emphasis added). According to the notice that was reportedly sent to the student organization after the event, separate and apart from the flyers, there were possible violations of these rules, pertaining to “reserving meeting space” and “using classroom space during a prohibited period.” These violations, by their nature, would have been known to the university prior to the event itself, and may have warranted further action to stop the event from happening. Moreover, OSU’s notice to the group reportedly indicated that there was reasonable cause to believe the group’s activities posed “a significant risk of substantial harm to the safety or security” of members of the university community or university property, which would have permitted a university official to immediately stop that activity if they were aware of this risk at the time.

Dean of Students, Danny Glassman, announcing CORS' reinstatement. This formal reinstatement was reflected on OSU's website, where the group's [status](#) was changed from "Inactive – Fiscal/Conduct" to "Active – New/Re-Established II."

Complainants request that OCR investigate whether a suspension was ever implemented against CORS. If not, Complainants request that OCR determine why OSU failed to enforce its own policies and why its spokesman [claimed](#) to OSU's student newspaper that CORS was "prohibited from participating in or holding activities as a registered student organization while under investigation." If CORS was in fact suspended, Complainants ask that OCR investigate why the administration lifted that suspension so shortly after imposing it, when there is no indication that the group ever rescinded its threatening messages toward Jews and Israelis.¹⁴ Complainants further request that OCR investigate whether the University's actions with respect to CORS are consistent with how OSU's administration has treated other alleged misconduct when those most threatened by that misconduct were not Jewish or Israeli.

According to CORS' initial statement about its alleged suspension, the group was reported to Student Conduct for several alleged rule violations, including a "failure to follow university rules regarding posting temporary fliers, reserving meeting space, using classroom space during a prohibited period (reading day), and the failure to respond to meeting requests from its advisor and university leaders." Yet despite these alleged violations, CORS was inexplicably allowed to continue using University meeting spaces and advertising for its events. Photos and video posted by the group on its social media page after its reinstatement show members of the group further violating OSU's [University Space Rules](#) on February 2, 2024, by draping a large banner with "Free Palestine!" on it over the railing above a staircase and using a megaphone¹⁵ for speeches at the Ohio Union. One member of the group used the megaphone to lead a chant of "There is only one solution, Intifada revolution!" and to falsely accuse Israel of committing "genocide" and a "final solution."

CORS continues to glorify terrorism on its social media pages: it has not removed the advertisements containing the PFLP logo and violent imagery from its Facebook or Instagram pages, and on February 6, 2024, it posted, "Resistance to oppression is not terrorism" above a photo and quote from PFLP terrorist Leila Khaled, infamous for being the first woman to hijack an airplane. Even in its post announcing its reinstatement, CORS included an image depicting Palestinians wielding assault rifles below the slogan "Free Palestine!" (See photos in Appendix).

¹⁴ Complainants request that OCR investigate whether OSU's administration even considered CORS' actions a threat to the Jewish and Israeli students on campus in the first place. According to a video posted on CORS' Instagram page on February 10, 2024, **administrators told CORS members that they suspended the group for its own protection, rather than for the protection of the Jewish or Israeli students on campus.**

¹⁵ University rules limit the locations in which signs can be hung (Section D.5 and accompanying [University Posting Standards](#)) and provide that amplified sound is restricted except with special permission from the university requested a minimum of 48 hours prior to the event (Section D.4).

Complainants note that OSU's Code of Student Conduct provides that it "may be applied to behavior conducted online, via e-mail, text, or other electronic medium" and that online postings such as web postings and social networking sites ... can subject a student to allegations of conduct violations if evidence of policy violations is posted online." OSU's administration was put on notice about CORS social media posts on Facebook and Instagram at least as early as January 15, 2024 (i.e., prior to the CORS' reinstatement), when it received a letter from StandWithUs including screenshots of several posts, yet there is no indication that the administration initiated any disciplinary action against those responsible for those posts.

We request that OCR investigate whether OSU's administration conducted any investigation into policy violations by the individual students responsible for CORS' social media. We further request that OCR investigate OSU's decision to reinstate CORS prior to taking any disciplinary action against it or any of its members in connection with their promotion of terrorism against Israelis on social media.

In another example of OSU's complicity in antisemitic activity on its campus, on October 25, 2023, an anti-Zionist demonstration was held in the Ohio Union, with the active participation of OSU's own Associate Professor of English and Faculty Advisor for the OSU Students for Justice in Palestine, Pranav Jani. In a speech employing a loud megaphone, this professor advocated, in the context of the Israeli-Hamas war, for the Palestinian "right to resist" and referred to Israel's "colonial occupation of Gaza" and to US support for Israel as "imperialism." Such rhetoric implicitly supports violence against Jews and Israelis and denies 3,000 years of Jewish history, identity, and rights in their ancestral homeland. Students at this demonstration chanted, "From the river to the sea, Palestine will be free," a well-known anti-Zionist slogan calling for the ethnic cleansing (*i.e.*, the elimination) of Jews who live between the Jordan River and the Mediterranean Sea, which is where Israel is located.

Complainants note that OSU's University Space Rules provide that not only students, but also "Faculty and staff are expected to conduct themselves in accordance with all University policies, and state and federal laws." Complainants therefore request that OCR investigate whether OSU failed to enforce its own policies against the students as well as Professor Jani, in connection with their involvement in this antisemitic event.

Complainants also request that OCR investigate OSU's inaction or tacit support for other antisemitic activities on campus, including but not limited to the following:

- On October 24, 2023, the OSU Students for Justice in Palestine posted on social media a call to participate in a "National Walkout Against US-Funded Genocide in Gaza" outside the Ohio Union the following day. In addition to using the false accusation of "genocide" to describe Israel's war against Hamas, the student organization's post called on students to "LEAVE YOUR CLASSES, WORK & WHATEVER YOU WOULD BE DOING TO JOIN US AT 2PM OUTSIDE THE UNION." **We request that OCR investigate whether this post and the activity of any of the group's members during class time as a result of this post violated OSU's Code of Student Conduct, and if so, why OSU failed to enforce its own rules in order to enable this anti-Israel demonstration.** In

particular, Complainants direct OCR’s attention to those [sections](#) of the Code that prohibit “[a]ny activity that tends to compromise the academic integrity of the university or subvert the educational process” or “[d]isorderly or disruptive conduct that unreasonably interferes with university activities or with the legitimate activities of any member of the university community.”¹⁶

- On November 15, 2023, protesters were loudly encouraging an “intifada revolution” right outside OSU’s President’s Office. University administrators reportedly watched the hateful demonstration that incited violence from the nearby Office of Student Life yet did nothing to stop it.
- On November 17, 2023, an unaffiliated student group staged a demonstration inside of Thompson Library, unfurling a large banner, shouting slogans falsely accusing Israel of “genocide,” and loudly reading out the names of people killed in Gaza, disrupting the study space there for approximately an hour. Demonstrators also loudly chanted the antisemitic call for genocide, “From the river to the sea, Palestine will be free.” Though the group had not obtained prior permission for its event as required by the University Space Rules, the OSU President’s Office later acknowledged that nevertheless, “University officials ... allowed the demonstration to proceed.” Interfering with study in the main library is another example of violating the Student Code of Conduct that prohibits disruption of the educational process and protects the legitimate activities of students attempting to use the library in peace and quiet. **Complainants request that OCR investigate OSU’s failure to enforce its own rules in order to facilitate these antisemitic disruptions.**
- On November 29, 2023, a “die-in” event was held for several hours in the Ohio Union, replete with antisemitic signs falsely accusing Israel of “genocide” and “ethnic cleansing.” Demonstrators used a loud megaphone and draped large banners on the railings and staircase. The Director of Operations told a Jewish student at the Ohio Union that he could not do anything to stop the event due to freedom of speech and that he would only restrict the use of the megaphone if more students began complaining about the noise. However, he did not indicate whether the demonstrators had received prior permission to use such sound amplification in accordance with the University Space Rules (Section D.4). Though he eventually instructed the demonstrators to remove a banner that had been taped to a staircase after deeming it a fire hazard, the other banners, e.g., those affixed to railings, appear to have been in violation of the University Space Rules (See Section D.5 and accompanying University Posting Standards¹⁷) but were permitted to remain in place. **Complainants request that OCR investigate why OSU**

¹⁶ We also draw OCR’s attention to several other posts (see Appendix) by the same student organization on Facebook and Instagram promoting events at various locations on OSU’s campus and falsely accusing Israel of “genocide” and “ethnic cleansing.” Despite having notice of such antisemitic activity, OSU has not taken any action to remediate its effect.

¹⁷ The [University Posting Standards](#) provide that “Posting is strictly prohibited in or on...railings.”

appears to have chosen not to enforce its own policies¹⁸ and instead permitted this antisemitic demonstration.

- On December 5, 2023, the Senior Vice President of Administration and Planning at OSU informed Jewish campus leadership that the University had approved a request from the Students for Justice in Palestine group on campus to plant 8,000 Palestinian flags on the South Oval the following day. Photos of the display, however, show that in addition to the flags, there were mock dead bodies in shrouds and antisemitic signs reading “Genocide University” and “Palestine Holocaust.”¹⁹ **Complainants request that OCR investigate whether the display of such signs had been approved by the administration, and if so, what criteria were applied for this approval. If they were not approved, we request that OCR investigate why OSU has not taken any action to determine who was responsible for violating its policies or to discipline those students.**
- On February 8, 2023, the OSU Students for Justice in Palestine participated in a “National Student Day of Action” promoted by the National Students for Justice in Palestine Organization. Two days prior to the event, the group announced on its Facebook page its intention to conduct a “mass walkout and march” outside of the Ohio Union. Despite this group’s known history of antisemitic rhetoric and previous disruptive behavior, the University took no action to prevent disruption of classes from this walkout or to remind these students of their obligations to abide by the OSU Code of Student Conduct. According to a contemporaneous [report](#) in OSU’s student newspaper, participants in this event chanted the antisemitic call for genocide, “From the river to the sea, Palestine will be free.”

Antisemitic rhetoric, however, was not limited to campus demonstrations. It could also be found graffitied on the walls of OSU’s buildings. Examples include:

- Several iterations of the call for genocide of Israelis, “From the river to the sea, Palestine will be free,” found on walls on several levels of a stairwell in Knowlton Hall;
- At least two false accusations of Israeli “genocide” found on walls in a stairwell in Knowlton Hall; and
- Graffiti found on December 5, 2023, in the Denney Hall girls’ bathroom reportedly accusing Israel of “genocide.”

¹⁸ The relevance of these particular rules was reflected in an email that OSU’s Senior Vice President for Student Life sent to the OSU student body *the very same day* as this demonstration, in which she reminded students about OSU’s rules for gatherings and demonstrations, including that the University Space Rules require reservations for gatherings of more than 100 or where a group expects sole usage of a space, and that university signage standards limit the posting of advertisements to designated spaces – “open posting boards (inside) and kiosks (outside).” This email also reiterated that the Code of Student Conduct and other university policies were applicable to student behavior in connection with these demonstrations.

¹⁹ Photos of these signs are found in the Appendix.

Students discovered the graffiti in Knowlton Hall (seen in the Appendix) as early as November 8, 2023, though it may have been created earlier, and prompted an email from the Office of the Dean of the College of Engineering on November 28, 2023, noting an “increase in graffiti within our buildings” over “the past few weeks” and reminding students that “[g]raffiti of any kind is not permitted.” It is Complainants’ understanding that additional security cameras were recently installed in the Knowlton stairwell to partially address the proliferation of antisemitic graffiti there. However, there is still no indication that OSU’s administration intends to find and discipline those responsible for violating the no-graffiti rule with these antisemitic messages. Without such disciplinary action, the perpetrators remain emboldened²⁰ and the climate of fear to which the graffiti contributed for Jewish and Israeli students remains.

The hostile environment for Jewish and Israeli students is compounded not only by OSU administrators’ inaction, but by their apparent failure to treat Jewish students’ concerns the same way they would treat concerns by other protected groups. When a Jewish parent tried to convince an administrator to take action against those calling for the genocide of Jews on campus by analogizing those calls to calls for lynchings of Black people, the administrator responded by taking umbrage at the analogy. When that parent told the administrator that their child was afraid to display signs of their Jewish identity but that the parent was proud the student continued to wear a Jewish star, the administrator remarked “Black students can’t peel off their brown skin.” **We request that OCR investigate whether OSU’s administration has been treating members of protected classes differently based on a perception that some identities can be more easily hidden than others, and whether such disparate treatment constitutes a violation of Title VI.**

IV. OSU’S TITLE VI OBLIGATIONS

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance, including OSU. The Department of Education’s 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.” 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;

²⁰ Some students at the school have even been agitating already for the new cameras’ removal so that the antisemitic graffiti can be resumed without consequences. They have circulated a petition for that purpose.

- (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.²¹

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 remedial actions if and when such conduct occurs. Specifically, OCR has explained:

[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.²²

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.” 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,” 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.”

OSU therefore has an obligation to address and redress the antisemitic incidents that occurred on its campus and the overall hostile climate that currently exists therein.

V. APPLICABLE DEFINITION OF ANTISEMITISM IN TITLE VI INVESTIGATIONS

Guidance issued by the OCR and DOJ since 2004 has extended protections under Title

²¹ 34 C.F.R. § 100.3(b).

²² U.S. Dep’t of Education, Office for Civil Rights, Office of the Assistant Secretary, “Dear Colleague Letter,” Oct. 26, 2010, p.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>.

VI to cover discrimination against Jews on the basis of their “actual or perceived shared ancestry or ethnic characteristics.” As clarified in the 2019 [Executive Order on Combating Anti-Semitism \(EO 13899\)](#), agencies tasked with Title VI enforcement are required to utilize the International Holocaust Remembrance Alliance’s (IHRA) Working Definition of Antisemitism (“IHRA Definition”) when investigating potential discrimination involving antisemitism. OCR expressed its commitment to applying the IHRA Definition on January 19, 2021, in a set of [questions and answers](#) it issued regarding the executive order. On January 4, 2023, Department of Education Assistant Secretary for Civil Rights, Catherine Lhamon, publicly reaffirmed OCR’s “commitment to complying with Executive Order 13899” in an email announcing the release of OCR’s new fact sheet on “Title VI Protection from Discrimination Based on Shared Ancestry or Ethnic Characteristics.” The continued relevance of the fact sheet and question and answer documents was further reiterated in OCR’s Dear Colleague letters dated [May 25, 2023](#) and [November 7, 2023](#) (which referred to both of those documents in their lists of Resources).

The IHRA Definition reads as follows:

Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

Also included with the IHRA Definition and referenced in the Executive Order is a list of examples of contemporary behavior that could, taking into account overall context, constitute antisemitism, including demonization or dehumanization of Jews, denying the Jewish people their right to self-determination by calling for the destruction of the Jewish State or the elimination of Jews there and abroad, applying double standards to Israel’s behavior (*i.e.*, behavior not expected or demanded of any other democratic nation), and drawing comparisons of contemporary Israeli policy to that of the Nazis. While antisemitic language, without more, may not be actionable, use of the IHRA definition allows investigators to determine whether conduct accompanied by hateful language (*e.g.*, harassment) is antisemitic in nature.

As demonstrated above, OSU has failed to respond adequately or effectively to a pattern of incidents on its campus that should be characterized as antisemitic under the IHRA Definition.²³ OSU’s deliberate indifference and even complicity have had a detrimental impact on OSU’s Jewish student population, including the students who shared their experiences with Complainants. This impact will only worsen if OCR does not hold the OSU administration accountable for its failure to remedy the hostile antisemitic environment that exists on its campus, as required by Title VI.

²³ The IHRA Definition is not only the standard applied by OCR; it is also OSU’s own standard. As OSU’s own OIE [has noted](#), in its definitions of Protected Classes, “Ohio State has adopted the IHRA definition of antisemitism in accordance with Executive Order 2022-06D.”

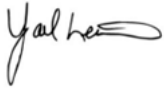
VI. SUGGESTED REMEDIES

In sum, OSU has failed to enforce its own clearly applicable policies, honor its Title VI obligations, or even comply with applicable hate crime reporting requirements under the Clery Act. In so doing, it has allowed a hostile environment to develop for Jewish and Israeli students at OSU, adversely impacting these students' ability to participate fully and equally in the educational and extracurricular activities provided by the University. Therefore, Complainants respectfully request that, should mediation not successfully resolve this complaint, OCR investigate the recent actions—and inactions—of OSU's administration, including its failure or deliberate unwillingness to enforce its own policies as they apply to Jewish and Israeli students. We respectfully request that OCR compel OSU to take the following actions, along with any other remedial actions that OCR deems appropriate:

1. Clearly and unequivocally communicate to the OSU community that antisemitic conduct, including verbal harassment, will be met with a zero-tolerance policy at OSU. OSU must issue a public statement condemning the antisemitic hostility on campus, including on the basis of shared ancestry. OSU's statement must recognize that for many Jewish students at OSU, Zionism is a key component of their shared ancestral and ethnic identity, and that harassing, demonizing, or excluding anyone on the basis of such identity is unacceptable at OSU;
2. Implement robust enforcement of applicable campus rules and policies, including but not limited to the Code of Student Conduct and University Space Rules for antisemitic harassment, demonstrations, and signage on campus;
3. Provide an accounting of University policies and procedures for addressing incidents of antisemitic bias and, to the extent that those policies or the implementation are deficient, revise them;
4. Comply with all relevant state and federal laws, including laws regarding the targeting of individuals based on protected identity characteristics and those related to the timely reporting of hate crimes to the campus community, including through Public Safety Notices;
5. Implement all measures necessary to secure the safety of Jewish and Israeli students at OSU, including by devoting more resources, and increasing security measures, to deter attacks against this vulnerable minority; and
6. Take the necessary steps to ensure that the University community is able to understand and recognize the types of antisemitic discrimination that are confronting its Jewish students, including those that involve Jewish shared ancestry connected to Israel, and how contemporary antisemitism manifests. To do that, OSU should: (a) Incorporate the IHRA working definition of antisemitism, including its guiding examples, into its campus policies concerning discrimination; and (b) provide mandatory antisemitism training to University administrators, faculty, students and

staff (including especially OIE staff) on antisemitism, the IHRA definition, and new/enhanced University policies related to harassment and discrimination.

Respectfully submitted,



Yael Lerman
Director, StandWithUs Saidoff Legal Department



Carly Gammill
Director, StandWithUs Center for Combatting Antisemitism



James Pasch
Senior Director of National Litigation, ADL
Anti-Defamation League

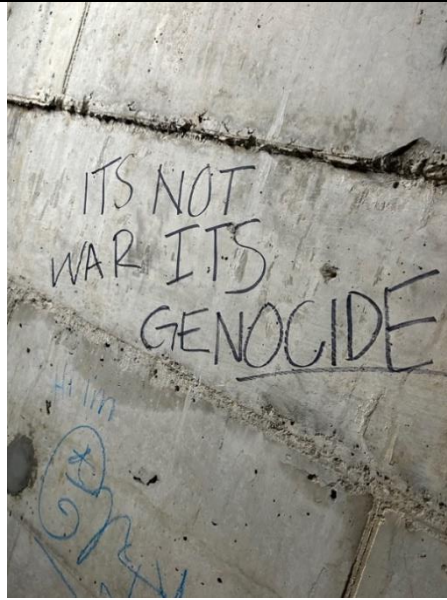


L. Rachel Lerman
Vice Chair and General Counsel
Brandeis Center for Human Rights Under Law

APPENDIX

Antisemitic graffiti and flyers found on OSU's campus, including flyers displaying the logo of a designated Foreign Terrorist Organization:

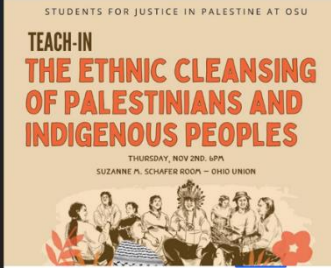


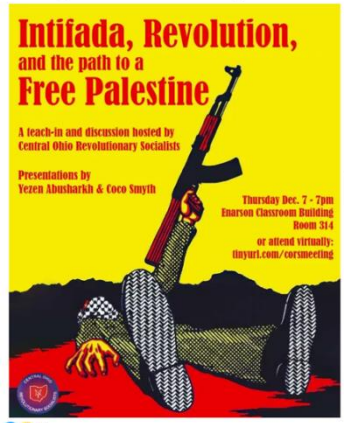




Photos of December 6, 2023, Students for Justice in Palestine On Campus Demonstration:



Social media posts by OSU registered student organizations:

<p>Students for Justice in Palesti... </p> <p>Posts About Videos More ▾</p> <p>Students for Justice in Palestine at The Ohio State University Oct 24 · 🌐</p> <p>NATIONAL WALKOUT LEAVE YOUR CLASSES, WORK & WHATEVER YOU WOULD BE DOING TO JOIN US AT 2PM OUTSIDE THE UNION.</p> <p>We called on OSU to respond to our DEMANDS to issue a statement condemning the massacre and genocide of Palestinians, but we did not receive a statement from the university condemning Israel's war crimes.</p> <p>This is an injustice to Palestinians and further threatens the safety of Palestinian-American, Arab-American, Muslim-American, and Jewish-American students who speak up for Palestinian human rights on campus.</p> <p>Join SJP this WEDNESDAY @ 2 PM to protest against the university's decision to remain silent on our statement. We are calling you to walk-out and leave wherever you are. We need change, and we demand an end to the U.S. funded genocide in Gaza and an end to the occupation in Palestine.</p>	<p>Students for Justice in Palesti... </p> <p>Posts About Videos More ▾</p> <p>Students for Justice in Palestine at The Ohio State University Oct 31 · 🌐</p> <p>Join @naipcosu and SJP this Thursday, November 2n at 6PM in the Suzanne M.Scharer room, Ohio Union for a teach-in on the ongoing genocide and ethnic cleansing in the city of Gaza and all of Palestine relating it to the erasure of indigenous peoples in America.</p> 	<p>Students for Justice in Palesti... </p> <p>Posts About Videos More ▾</p> <p>Students for Justice in Palestine at The Ohio State University Oct 27 · 🌐</p> <p>OHIO PROTEST Come out this Saturday at 3:30PM at the Ohio Statehouse to call to an end of the U.S. funded genocide in Gaza and stand with Palestine 🇵🇸🇲🇪</p> <p>Bring your flags, signs, kuffiyehs and voice! 🇵🇸🇲🇪</p> 
<p>Students for Justice in Pa... 2h ... </p> <p> Follow</p> <div data-bbox="219 1018 552 1312"> <p>Learn & Create Change Broadcast channel · 340.9K members Join</p> <p>Let's Talk Palestine</p> <p>Are you a US citizen? 🇺🇸 Want to punish the Democratic Party for funding, arming, and supporting Israel's genocide in Gaza?</p> <p>Sign the national pledge 🇵🇸 No ceasefire, no votes. https://form.jotform.com/233430448529155</p> </div> <p>Send message... </p>	<p>Central Ohio Revolutionary Socialists ... Dec 7 · 🌐</p> <p>7 PM EST tonight! Join us online or in-person in Columbus to discuss to path to the liberation of Palestine!</p> 	<p>Central Ohio Revolutionary Socialists ... Dec 5 · 🌐</p> <p>Thursday, 7PM EST! Online and in-person!</p>  <p> 3</p>

Central Ohio Revolutionary Socialists Dec 4



Thursday at 7PM EST, online and in-person. Discuss the key questions in the struggle for the liberation of Palestine!

INTIFADA, REVOLUTION, AND THE PATH TO A FREE PALESTINE

A PRESENTATION AND DISCUSSION HOSTED BY CENTRAL OHIO REVOLUTIONARY SOCIALISTS

THURSDAY, DECEMBER 7 - 7PM
ENARSON CLASSROOMS BUILDING ROOM 314
OR
ONLINE AT [TINYURL.COM/CORSMEETING](https://tinyurl.com/corsmeeting)

FEATURING SPEECHES BY YEZEN ABUSHARKH, A LOCAL ORGANIZER IN THE PALESTINE STRUGGLE AND COCO SMYTH AN ORGANIZER WITH CENTRAL OHIO REVOLUTIONARY SOCIALISTS


Central Ohio Revolutionary Socialists Dec 3

Join CORS this Thursday at 7 PM in-person at Enarson Classrooms Building Room 314 (OSU Campus) or online at tinyurl.com/CORSmeeting for presentations on the questions facing the Palestinian struggle today with a special guest speaker and local Palestine activist, Yezen Abusharkh, and CORS organizer Coco Smyth. We welcome all who are committed to the fight and want to discuss how we understand the struggle and where we go next as a movement to join us!



Central Ohio Revolutionary Socialists is in Columbus, OH. February 6 at 4:09 PM

Resistance to oppression is not terrorism



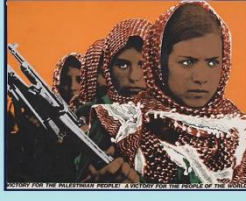
Who planted terrorism in our area? Some came and took our land, forced us to leave, forced us to live in camps. I think this is terrorism. Using means to resist this terrorism and stop its effects—this is called struggle.

Leila Khaled

3 likes, 1 comment

We will be putting out a more in-depth statement on our website in the coming days.

Free Palestine!



Instagram Post



156 likes

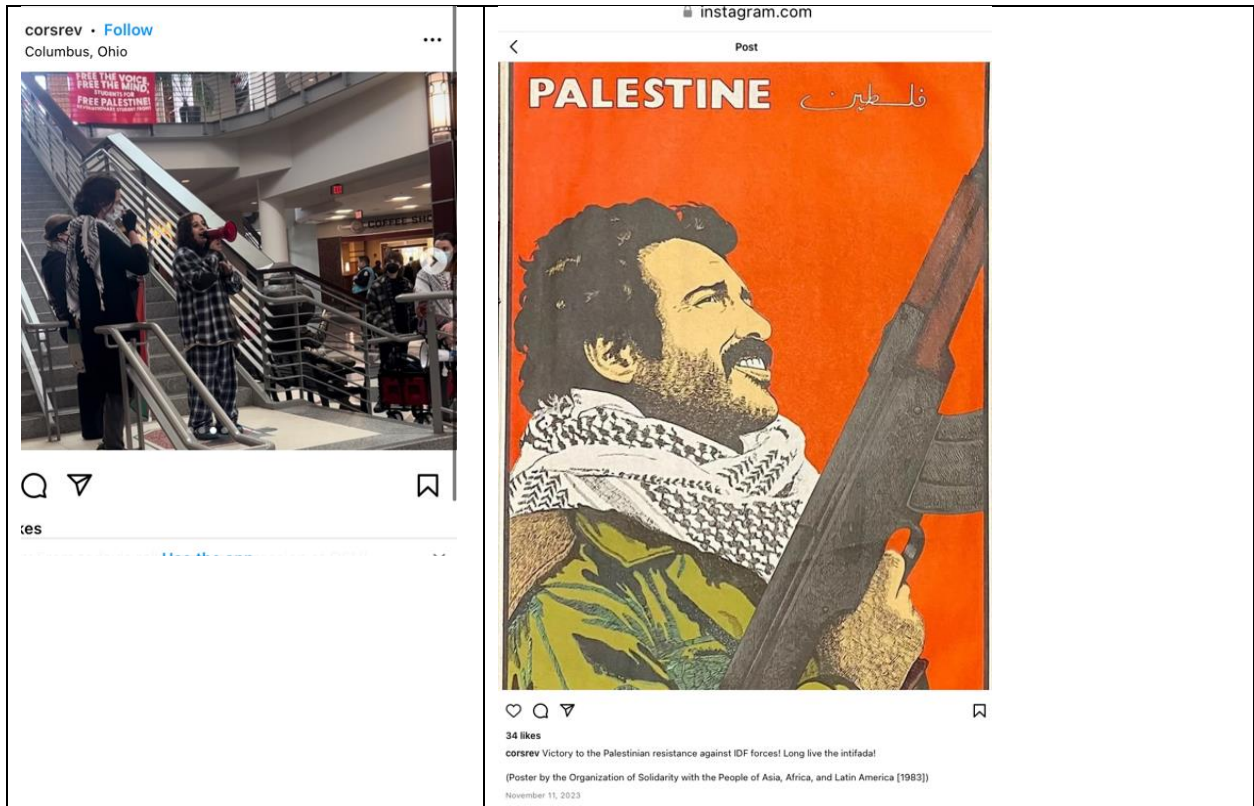
corsrev · Follow
Columbus, Ohio



156 likes

corsrev From today's rally against repression at OSU

View all 2 comments



Photos of November 29, 2023 “Die-In” event showing signs accusing Israel of “murder,” “genocide” and “ethnic cleansing,” and students using a megaphone and displaying large banners on railings:

