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May 9, 2013

Sent by Email

Kenneth L. Marcus
President and General Counsel
The Louis D. Brandeis Center
1776 I Street, N.W. Suite 900
Washington, DC 20006

Dear Mr. Marcus:

During Ms. Sibovits' recent visit to the Davis campus she asked me to follow-up with you regarding the status of the campus response to the event in Dutton Hall on November 19, 2012. Please accept this response.

Immediately after receiving your letter on January 28, members of our Student Affairs staff reached out by email to the students affected by the occupiers in Dutton Hall. Although UC Davis had not received any complaints from the affected students, staff emailed these students, educated them about University complaint procedures, and invited them to meet with staff. Privacy laws prohibit me from sharing the specific communications with these students, but I can share that one student responded and met with staff. None of the students elected to file a complaint.

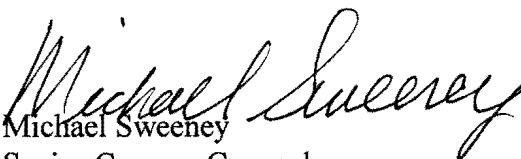
With respect to ensuring a safe educational environment for all students, including Jewish students and students of Israeli descent and national origin, I can share that after receipt of your letter in late January 2013, the University reevaluated its practices during occupations and protests, including those directed at Israel. On November 19, administrators outside Dutton Hall believed that their presence in the building would have aggravated the occupiers and inflamed the protest. In retrospect, and based on what you report in your letter, we now believe that we should have had one or more staff members present inside Dutton Hall, if possible, to more closely monitor the event. Based on this reevaluation, the campus will take the following steps when we learn of a potentially controversial protest, including one directed at Israel:

1. At least one administrator will be present at the protest to monitor the event and to intervene when necessary to ensure that everyone is safe;
2. The campus engagement team will be present to help resolve any disagreements and to facilitate dialogue;
3. Aggie Hosts will be present to serve as security when appropriate; and,
4. Police will be nearby for law enforcement.

Additionally, Student Affairs has assembled a committee to revise the information that is given to protesters to let them know what behaviors are acceptable, and what behaviors will not be tolerated. And finally, on April 11, 2013, Chancellor Katehi appointed a Blue Ribbon Committee on Freedom of Expression, chaired by Dean Kevin Johnson of the UC Davis School of Law, to review and strengthen campus policies on freedom of expression.

In addition to UC Davis' robust student complaint and grievance policies and procedures, I believe that these affirmative practices during protests directed at Israel and other similar controversial protests, demonstrate UC Davis' deep commitment to providing a safe educational environment that is free of unlawful harassment for all of our students, including Jewish students and students of Israeli descent and national origin. I would be happy to answer any additional questions you may have.

Sincerely,


Michael Sweeney
Senior Campus Counsel