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Department of Education Opens Investigation of Anti-Semitism at SUNY New Paltz

In 1st Investigation Since National Anti-Semitism Plan Unveiled, Biden Administration Signals that Anti-Zionist Discrimination/Harassment Will be Taken Seriously

Washington, D.C. (June 8, 2023): The Department of Education’s Office for Civil Rights (OCR) announced it has opened a formal investigation into a [complaint](#) alleging two Jewish students at State University of New York (SUNY) at New Paltz were kicked out of a sexual assault awareness group and then bullied, harassed and threatened over their Jewish and Israeli identities. Just as with the landmark resolution recently reached with the [University of Vermont \(UVM\)](#), the Department of Education is investigating anti-Zionist-motivated anti-Semitic discrimination and harassment as a potential violation of Title VI of the Civil Rights Act of 1964.

With the opening of this investigation, the Biden Administration is signaling that it is not sufficient to protect Jews solely on the basis of their religious practice. Just as they did in the precedent-setting UVM resolution, the Department of Education is recognizing that Jewish students must be given the same protections as any other group, and that anti-Semitism needs to be addressed with the same rigor as other forms of discrimination. Judaism is an ethno-religion and Jews must be protected by law from discrimination that targets them on the basis of their Jewish peoplehood and Jews’ shared ancestral ethnic heritage, which for many Jews is inextricably linked to the land of Israel. A [Pew survey](#) found that 80% of Jews view Israel as integral to their Jewish identity.

“This is truly a monumental day for Jewish students across the U.S. facing record levels of anti-Semitism. The opening of this investigation by the Department of Education, the very first since President Biden announced his national strategy to combat anti-Semitism, sends a clear and unequivocal signal to SUNY New Paltz as well as universities across the country that they take anti-Zionist discrimination and harassment seriously and they expect universities to take it just as seriously, and address it with the same intensity and vigor, as they do all other forms of harassment and discrimination,” stated **Denise Katz-Prober, director of legal initiatives for the [Louis D. Brandeis Center for Human Rights Under Law](#)** which filed the complaint on behalf of the SUNY New Paltz students and [Jewish on Campus](#). “In this case, students were excluded and harassed based on their Jewish identity connected to Israel, and just like the recent and also landmark resolution reached with UVM, the

Department of Education's commitment to investigate what transpired at SUNY New Paltz signifies it recognizes this form of harassment and discrimination as national origin discrimination based on shared ancestry."

"When Jewish students are excluded because of their identities, as Jews or Israelis alike, that is anti-Semitism plain and simple. For too long, our voices have been neglected and the lived experiences of Jewish students facing anti-Semitism have been ignored or outright dismissed. Today represents a new chapter. When Cassandra and Ofek approached Jewish on Campus to describe the hate they encountered, we were both inspired by their courage to speak up and outraged that such intolerance exists at SUNY New Paltz," stated **Julia Jassey, co-founder and chief executive officer of Jewish on Campus**. "No student should ever be excluded from campus because of facets of their Jewish identity, let alone survivors of sexual assault. By launching an investigation into SUNY New Paltz's actions, or lack thereof, in the face of this blatant anti-Semitism, the U.S. Department of Education's Office for Civil Rights is taking a necessary step toward accountability. But as Jewish students on campuses across the country are forced to confront similar discrimination in their classrooms and student organizations, today's announcement is a beginning, not an end."

The SUNY New Paltz complaint, featured in [Dana Bash's CNN Special Report "Rising Hate: Antisemitism in America"](#), alleges the university, in violation of Title VI, allowed a hostile environment to proliferate on campus for Jewish survivors of sexual assault, to the point where both students felt unsafe to attend class and Jewish and Israeli survivors of sexual assault at SUNY New Paltz felt "shunned," "isolated," and "fearful."

The issues began in December 2022, as first reported by [The New Paltz Oracle](#) and later [Algemeiner](#), when Cassandra Blotner posted an [infographic](#) on her personal Instagram that read, "Jews are an ethnic group who come from Israel. This is proven by genealogical, historical and archeological evidence. Israel is not a 'colonial' state and Israelis aren't 'settlers.' You cannot colonize the land your ancestors are from." Members of New Paltz Accountability (NPA), a group Blotner and another student founded to combat sexual assault, kicked Blotner out of the group and later cancelled, stalked and harassed her. Ofek Preis, another NPA member who is a Jewish Israeli student, shared on her personal Instagram the same post that Blotner had posted. Soon after, NPA stopped contacting Preis about the organization's activities and blocked her access to shared organizational documents. The NPA then made clear to Preis, and through numerous posts on its Instagram, the group was only open to those who reject Zionism.

NPA went on to publish numerous statements doubling down on its stance that Zionists are not welcome in NPA, extending its exclusionary and discriminatory stance to all Jewish Zionist and Israeli sexual assault survivors at SUNY New Paltz, and advancing the anti-Semitic narrative that Zionism is a form of racism and white-supremacy. These NPA posts fueled further harassment on social media directed personally towards Blotner. Some posts threatened to spit on her, others stated "cassie needs to go..." and called her a "dumb b*tch" that supports "mass genocide !!!!!!"

Blotner and Preis reported to the university that they felt unsafe on campus. The university declined Blotner's request for a security escort to accompany her to class and advised her not to attend. Unable to attend class safely, Blotner left campus to be with her family. The hostile anti-Semitic atmosphere for Jewish Zionist sexual assault survivors brewing on campus after NPA's posts caused Preis, publicly identified and spurned by NPA as a Zionist and an Israeli, to feel so anxious about her safety she was also unable to attend class.

NPA's behavior and the harassment that ensued had a harmful impact and resulted in a hostile environment for the larger community of Jewish and Israeli survivors of sexual assault at SUNY New Paltz. In a letter to the campus community, the Jewish Student Union explained how the university's "half-measures and empty rhetoric" signaled that anti-Semitism is acceptable on campus and that the university's values of tolerance and inclusivity don't apply to Jewish sexual assault survivors.

After the complaint was filed, SUNY New Paltz held focus groups to get input from Jewish students and the Jewish community about what could be done to improve the campus climate for Jewish students. Based on these meetings the university issued a report with recommendations, including adopting the International Holocaust Remembrance Alliance (IHRA) definition of anti-Semitism. However, aside from recommending the adoption of IHRA, the report primarily focused on religious accommodations and exemptions, failing to acknowledge or address the pervasive and ongoing anti-Zionist harassment and discrimination.

"The SUNY New Paltz focus groups and report were a nice idea in theory, but, in practice, they completely missed the mark," stated Katz-Prober. "It's not enough to merely to consider adopting IHRA. The university must modify its policies, procedures and trainings, as UVM is now doing under the direction and supervision of the Department of Education's Office for Civil Rights, to ensure university administrators, staff, faculty and students understand that discrimination and harassment on the basis of Jewish identity, whether it be motivated by religion or connection to Israel and shared heritage, is illegal. The current recommendations fail to recognize that Jewish identity is not confined to religious practice, but also involves shared ancestry, shared history and shared culture. Just as with UVM, the Department of Education's investigation, involvement and guidance is critical."

Title VI prohibits discrimination on the basis of race, color, and national origin, including discrimination against Jews on the basis of their actual or perceived shared ancestry or ethnic characteristics, in educational institutions that receive federal funding. Title VI protects individuals from exclusionary conduct that denies them the ability to participate in or benefit from university programs and activities, including joining a student club and feeling safe enough to attend class, as well as from harassment that creates a hostile environment. Marginalizing, demonizing and excluding Jewish students on the basis of the Zionist component of their Jewish ethnic and ancestral identity, and discriminating on the basis of national origin identity, violates Title VI.

The Louis D. Brandeis Center is an independent, nonprofit organization established to advance the civil and human rights of the Jewish people and promote justice for all. The Brandeis Center conducts research, education, and advocacy to combat the resurgence of anti-Semitism on college and university campuses. It is not affiliated with the Massachusetts university, the Kentucky law school, or any of the other institutions that share the name and honor the memory of the late U.S. Supreme Court justice.

Jewish on Campus is a 501(c)(3) nonprofit organization founded and run by Jewish college students, for Jewish college students. Since its founding in 2020, JOC has collected stories of anti-Semitism from thousands of students around the world and has assisted in creating change on campus.