



OFFICE OF THE VICE PRESIDENT – STUDENT AFFAIRS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 9th Floor
Oakland, California 94607-5200

June 6, 2013

Sent via email to tbenjami@ucsc.edu

Dear Ms. Rossman-Benjamin:

Your email of May 8, 2013 was referred to me by the University President for response. Thank you for writing to express your concerns about the alleged conduct of certain student groups towards you; your belief that it constitutes retaliation against you; and your belief that it constitutes defamation against you. As you know, the Santa Cruz campus is aware of and has taken your concerns seriously and is in the process of reviewing your specific allegations and assessing whether any violations of UC policies have occurred. I am confident that the campus's review will be thorough and fair. If you are dissatisfied with the University processes available to address your concerns, for example with respect to your concerns about defamation, which University policies do not address as such, you are of course free to pursue other avenues of relief.

The University takes very seriously its commitment to ensuring an environment in which all members of the campus community feel empowered to speak freely, without intimidation – including through enforcement of the conduct code where appropriate. At the same time, as you know, the First Amendment protects the rights of all community members to express their views, even if those views are highly offensive to others. In American law, there is no viable constitutional concept of group defamation. There are also severe limits on liability for individual libel and slander. The University is also deeply committed to tolerating and encouraging the robust exchange of viewpoints and ideas that is so fundamental to our academic mission. The appropriate balancing of these interests is challenging but critical.

Thus, the University cannot and does not engage in the censorship of protected speech. And most forms of hate speech are constitutionally protected. If, however, the speech at issue substantially disrupts the campus or University operations, it may be subject to review and investigation consistent with the University's student conduct, grievance procedures, employee personnel policies, and State and federal constitutional structures.

Ms. Rossman-Benjamin

June 6, 2013

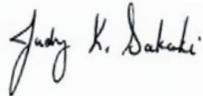
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I would also like to assure you that the University takes seriously the concerns you raise regarding the environment experienced by Jewish students on campus, as it does concerns about intolerance towards any group in its community. In addition to the campuses' significant efforts to address these concerns, the President's Office is leading several initiatives to improve campus climate and inclusion, including considering the recommendations of both the Jewish Student Campus Climate Fact-Finding Team and the Muslim & Arab Student Campus Climate Fact-Finding Team of the President's Advisory Council on Campus Climate, Culture, and Inclusion. Most recently, it has completed a systemwide campus climate survey, which we expect will help us to address these issues more effectively systemwide.

I would also like to note that the Universitywide campus climate reporting system allows any member of the community to report issues of bias or intolerance, anonymously if they choose. These reports are received by appropriate campus administrators for follow-up, and regular aggregate reports are issued to the President's Advisory Council and the Regents Ad Hoc Committee on Campus Climate. The reporting website was advertised widely during the administration of the UC Campus Climate Survey and can be accessed at www.universityofcalifornia.edu/reportcampusclimate.

The University takes as fundamental the principle that all members of our community should be treated equally under its policies and should have the full benefit of their protection, and it strives to create, encourage, and maintain an environment that provides support for all to feel welcome and respected.

Sincerely,



Judy K. Sakaki, Ph.D.
Vice President – Student Affairs

cc: President Yudof
Chancellor Blumenthal
Provost and Executive Vice President Dorr
Provost and Executive Vice Chancellor Galloway