

Winston & Strawn Secures Landmark Settlement with California State University Safeguarding Jewish Student Rights

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Winston & Strawn and the Lawfare Project reached a landmark settlement in their lawsuits against the California State University (CSU) public university system. The settlement in *Volk v. Board of Trustees* comes ahead of a trial that was scheduled to take place this week.

“This is a landmark civil rights victory, not only for the rights of Jewish and Israeli students but for people of all religious faiths,” said Lawrence Hill, the Winston partner who brought the case to the firm and stewarded it. “It will not only result in fundamental change at San Francisco State University and the CSU system but should result in a paradigm shift on college campuses across the nation. This settlement agreement should become a model for other universities to follow to avoid similar claims of religious discrimination and violation of First Amendment rights.”

As part of the settlement San Francisco State University (SFSU) agreed to:

- Issue a public statement affirming that “it understands that, for many Jews, Zionism is an important part of their identity”
- “Hire a Coordinator of Jewish Student Life within the Division of Equity & Community Inclusion,” and to dedicate suitable office space for this position
- “Retain an independent, external consultant to assess SFSU’s procedures for enforcement of applicable CSU system-wide antidiscrimination policies and student code of conduct”
- Assign “for a period of 24 months all complaints of religious discrimination under either EO 1096 or EO 1097 to an independent, outside investigator for investigation”
- “Allocate an additional \$200,000 to support educational outreach efforts to promote viewpoint diversity (including but not limited to pro-Israel or Zionist viewpoints) and inclusion and equity on the basis of religious identity (including but not limited to Jewish religious identity)”
- Engage in the SFSU process to allocate “space on the SFSU campus for a mural to be installed under the oversight of the Division of Equity & Community Inclusion, paid for by the University, that will be designed by student groups of differing viewpoints on the issues that are the subject of this litigation to be agreed by the parties (including but not limited to Jewish, pro-Israel, and/or Zionist student groups, should such student groups elect to participate in the process)”

Winston handled the matter pro bono devoting several thousand hours to the case staffed with lawyers from the firm's Chicago, Los Angeles, New York, San Francisco, and Washington, D.C. offices, including Partner Lawrence Hill, among 20 other attorneys.

"We would not have achieved this victory without the tireless effort, commitment, and talent of this dedicated team of lawyers," added Lawrence Hill. "Our appreciation also goes out to Amanda Berman, formerly of The Lawfare Project, who was instrumental in bringing this case to fruition and for her hours of tireless work with us on the case, to Brooke Goldstein of The Lawfare Project, and to Jeffrey Dorfman, Scott Allen, Chad Lackey, Ellen Brickman, and the team at DOAR Consulting, who provided first class jury consulting services on a pro bono basis."

The Winston team and the Lawfare Project first filed a [lawsuit](#) in federal court on June 19, 2017 on behalf of a group of SFSU students and members of the local Jewish community against the Board of Trustees of CSU, SFSU President Leslie Wong, and several other university officials and employees, alleging that SFSU has a long and extensive history of cultivating anti-Semitism and overt discrimination against Jewish students. This lawsuit, *Mandel v. Board of Trustees of California State University*, was triggered by the disruption of an April 2016 speech by the Mayor of Jerusalem, Nir Barkat, which shut down the speech and denied those present the opportunity to hear it. The *Mandel* suit also asserted violations of constitutional rights based on the "Know Your Rights" Fair and alleged violations of Title VI of the Civil Rights Act of 1964 based on claiming there was a pervasively hostile environment for Jews and Israelis at SFSU.

A second state lawsuit, *Volk v. Board of Trustees of California State University*, was triggered by the denial of equal participation in a "Know Your Rights" Fair on SFSU's campus in February 2017, which was planned to provide information and resources to groups feeling targeted in the political climate at the time. Plaintiffs' Jewish group was intentionally excluded from hosting a table and providing information and resources to Jewish students concerned with anti-Semitism.

The settlement reached resolves both the *Mandel* and *Volk* cases.

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