

Statement of the AAUP-Penn Executive Committee on the EEOC Investigation of Penn

As the Executive Committee of the University of Pennsylvania's chapter of the American Association of University Professors (AAUP-Penn), we write to express our support for the University administration's actions to protect the privacy and safety of Jewish faculty, students, staff, and all members of the Penn community by reportedly declining to create and share lists of names and personal information of Jewish employees with the federal government.

In December 2023, the U.S. Equal Employment Opportunity Commission (EEOC) initiated an investigation of Penn, alleging "a pattern or practice of harassment based on national origin, religion, and/or race against Jewish employees, in violation of Title VII" of the Civil Rights Act. As part of that investigation, the EEOC demanded a broad range of documents and information from the University. This is part of a wider pattern of action in which the Trump administration makes sweeping demands for employee personal information from higher education institutions. While cooperating with the investigation, the University rightly refused to provide information that would violate the privacy of members of the University. In response to that refusal, the EEOC is now suing the University.

The specific information that the University refused to provide – *and must continue to refuse to provide* – includes the identities and personal information of complainants who made confidential reports of antisemitism, membership lists and member contact information (including personal phone number, email address, and mailing address) of "all clubs, groups, organizations and recreation groups related to the Jewish religion, faith, ancestry/National Origin," and a list of employees in the Jewish Studies Program and their contact information. Also requested were "a list of staff and faculty members who participated in the Listening Sessions held in March 2024 as part of the University of Pennsylvania Task Force on Antisemitism (TFAS)," "a list of all faculty and staff members who received the University of Pennsylvania Task Force on Antisemitism's online Qualtrics survey" and the contact information (again including personal phone number, email address, and mailing address) for everyone on both lists.

Historically, allowing regimes to collect lists of Jewish people has not boded well for their safety. Providing the requested information would not aid in the fight against antisemitism, and would in fact gravely endanger and violate the privacy of the very people the EEOC purports to protect. As we have stated previously, combatting antisemitism and all forms of discrimination is essential, and it can and must be accomplished without sacrificing the safety, privacy, and academic freedom of any member of the Penn community. We encourage the Penn administration to stand firm in continuing to refuse to provide the information illegally demanded by the EEOC, and to similarly protect all groups at Penn.