

EXHIBIT K

February 1, 2024

An Open Letter to the CCA Community:

On October 11 the Chair of Critical Ethnic Studies posted a message on the CES Instagram account that addressed current events in the Middle East. Upon learning of the post—and the “Likes” appended to it—I filed a formal complaint against the Chair of CES alleging that (1) its content is racist and antisemitic; (2) posting it under the name of the CES Program constitutes an abuse of the Chair’s academic position; and (3) the Chair’s action impairs my ability to perform my academic duties as Emeritus Professor. I did so with an equal measure of anger, disappointment, and sorrow.

I was informed today that my complaint has been dismissed by the Office of Human Resources and that no substantive action will be taken. I vehemently disagree with this finding and feel that the CCA community deserves to be aware of my complaint and the reasoning and motivation behind it:

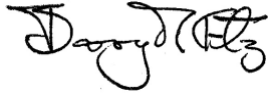
1. The Instagram post, dated October 11, calls for “collective resistance” to Israel’s intervention in Gaza but fails to acknowledge the events that immediately precipitated it. These include, *inter alia*, hundreds of extensively documented instances of indiscriminate murder, rape, torture, decapitation, mutilation, and kidnapping of civilians committed by an estimated 3000 agents of the governing authority of Gaza four days earlier. This deliberate omission does not simply make a mockery of CES’ professed advocacy of “context,” “truth,” and “critical thinking.” Insofar as it fails *even to acknowledge* the events of October 7 it conveys an inescapable message: Jewish lives do not matter. For that reason, I formally charged the Chair of Critical and Ethnic Studies with racist antisemitism.
2. I remain convinced that the Chair’s use of the platform of an academic program to promote a private political agenda is inconsistent with CCA’s policies which are designed to protect our community while safeguarding academic freedom and constitutionally protected speech. That a partisan political statement made in the name of an academic program was endorsed by professors, program chairs, deans, and senior administration officials up to and including the Office of Academic Affairs is shocking. It is hard to imagine how a member of CCA’s Jewish community who is submitting coursework for a grade, requesting a letter of recommendation, or applying for promotion or tenure could expect to be treated with fairness, objectivity, and dignity.
3. Under these circumstances, I find it impossible to fulfill my academic responsibilities, which include teaching, research, and college service. The message posted on behalf of CES contributes to a hostile and politicized environment in which I must choose whether to censor myself in the classroom and the committee room or risk verbal and even physical abuse; I dare not discuss my collaborations with scholars in other parts of the world; my professional reputation has been damaged by my association with an institution in which such actions appear not merely to be tolerated but widely endorsed.

To be absolutely clear: My complaint takes no position on the conflict in the Middle East; it is about the conflict within CCA. Nor does it imply restrictions on anyone’s right to free speech. I can imagine the College sponsoring a legitimate academic forum composed of experts from diverse fields and representing diverse perspectives but united by a common educational purpose: to inform and to educate. The ideological rant posted by the Chair of Critical Ethnic Studies bears not the faintest resemblance to an academically responsible, intellectually serious learning experience of this sort.

As I have written to President Howse: Higher education today is under attack from the left and the right, and CCA is far more vulnerable than Harvard, MIT, or Columbia. The actions of the Chair of Critical Ethnic Studies, and the support they have received across the institution, have already done us incalculable harm in terms of reputation, moral standing, and scholarship support. My complaint has nothing to do with the “anti-woke” crusade that is sweeping across the country. It is an effort to pull us back from the brink.

This Open Letter is being sent through my CCA email account because it addresses the CCA community, concerns CCA affairs, is in support of CCA's academic mission, and adheres scrupulously to CCA policies. The views expressed are my own, however, and I do not write to you on behalf of the college or any program or department.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry M. Katz". The signature is stylized with a large, looped "B" and a cursive "Katz".

Barry M. Katz
Professor Emeritus
California College of the Arts