



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

March 8, 2023

Yeshiva University Board of Trustees
% Rabbi Dr. Ari Berman
President
Yeshiva University
500 West 185th Street
New York, NY 10033

Dear Members of the Board of Trustees:

We are writing regarding Yeshiva University's outrageous demands for the personal and private information of your LGBTQ college students. As part of its defense of the pending lawsuit, in which New York courts have now twice held the University is actively discriminating against its LGBTQ students, the University's lawyers at the Becket Fund and Kaufman Borgeest & Ryan have demanded that members of the YU Pride Alliance provide the University with an onerous and unprecedented amount of personal information. The University's lawyers have demanded from each student their Federal and State Tax Returns and unrestricted access to their mental and physical health records including psychology, psychiatric, and social work treatment, employment, and educational records (see attached). The University's lawyers must understand the safety issue associated with relinquishing this information. The possibility that students have not made their sexuality, gender identity, or allyship with the LGBTQ community public out of fear of retaliation places them at potential emotional and physical harm, and they are justified in wanting to withhold this information to protect themselves. Clearly the intent is to silence and intimidate the LGBTQ members and allies of the University's undergraduate community, by demanding information that threatens their safety and wellbeing and by burdening them and their families with this time consuming, expensive, and highly personal invasion of their privacy.

As Trustees, you may not be aware of the scorched earth legal tactics being employed by the University's outside counsel in its name, and therefore we write to inform you and seek your help in protecting these students.

There is no legitimate legal reason for these students to provide such personal documents. Not only has the University chosen to discriminate against them, but the goal is clearly to punish the students and their families because of who they are and because they choose to fight for equality. These tactics are morally and ethically reprehensible and are anathema to the values of our state. The University's role is to protect and nurture its students, not to attack and tear them down in court. We ask that you exercise your authority as members of the Board of Trustees to compel the University to immediately rescind this gratuitous, mean-spirited, and ethically abhorrent request.

Sincerely,

Tony Simone
Assemblymember

Alex Bores
Assemblymember

Deborah J. Glick
Assemblymember

Jessica González-Rojas
Assemblymember

Daniel J O'Donnell
Assemblymember