

NEWS

Professor Suspended for Rebuffing Request to Give Black Students Easier Final Exam Sues UCLA

BY TORIA BARNHART ON 10/1/21 AT 4:50 PM EDT

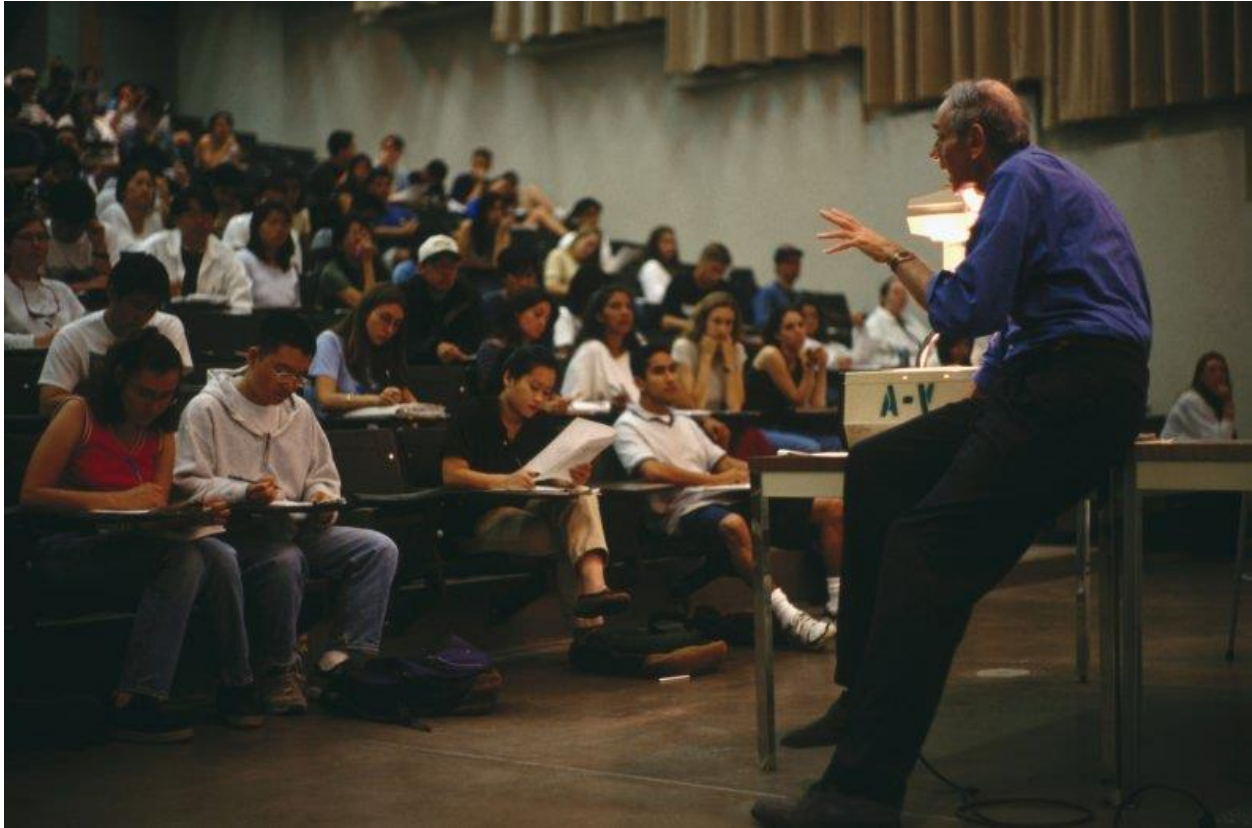
A University of California, Los Angeles (UCLA) professor who was suspended and later reinstated for brusquely rebuffing a request to give Black students leniency on their final exams following the death of George Floyd has filed a lawsuit against the school.

Gordon Klein, who teaches financial analysis, law, and public policy at UCLA, filed a lawsuit Monday claiming that he suffered financially and emotionally because of the incident. Although he retained his position, Klein alleged he was dropped from consulting jobs at law firms and other corporations and that his reputation was tarnished as a result.

Klein discussed his reasons for suing the school with a post on the website "Common Sense with Bari Weiss" and said he was seeking unspecified damages "not only to correct the tortures he had endured but also to protect academic freedom."

He's suing UCLA for breach of contract, violating his privacy and retaliatory discrimination.

In court documents, Klein alleged he "suffered severe emotional distress, trauma, and physical ailments for which he has been treated by his primary care physician, a gastrointestinal physician, and a psychiatrist."



A University of California, Los Angeles (UCLA) professor who was suspended for refusing to give Black students leniency on their final exams following the death of George Floyd, but was later reinstated is now suing the school. Pictured, a stock photo of a professor not connected with this case gives a lecture to his class at the University of California, San Diego. DAVID BUTOW/CORBIS VIA GETTY IMAGES

The incident that spurred the lawsuit began on the morning of June 2, 2020, when he received an email from who he said was a non-Black student asking that Klein grade Black students with greater "leniency" in the wake of Floyd's death and the civil unrest that followed.

"We are writing to express our tremendous concern about the impact that this final exam and project will have on the mental and physical health of our Black classmates," the student wrote, according to Klein. The student, whose name was not released, then requested a "no harm"

final exam, meaning that it would only count if it helped a student's grade.

Klein said that while he supports the university's "Equity, Diversity, and Inclusion" agenda that the student used to make his case, he felt that agenda violated the California Constitution's prohibition of "race-based preferences in public education."

The professor added that he was "shocked by the student's email" and felt it was "deeply patronizing and offensive to the same Black students he claimed to care so much about."

In response, Klein emailed the student, and asked: "Are there any students that may be of mixed parentage, such as half black half-Asian? What do you suggest I do with respect to them? A full concession or just half? Also, do you have any idea if any students are from Minneapolis? I assume that they are probably especially devastated as well. I am thinking that a white student from there might possibly be even more devastated by this, especially because some might think that they're racist even if they are not."

"I thought this would do it and we'd move on with the class final and, just as important, summer break. I was naive," Klein added.

He said that by the evening, students were calling for him to be removed from UCLA and a petition with 20,000 signatures circulated demanding that he be fired. Three days after the first email, Klein was suspended by UCLA.

The professor alleged that the school was "rattled" not by the harassment targeted at him but because school administrators were worried about its reputation. Klein said he was left "confused and hurt" by their actions.

Ultimately the UCLA's Academic Senate's Committee on Academic Freedom ruled that the case did not warrant an investigation because

instructors are entitled to say no to requests for changes in the grading structure, and Klein was reinstated less than 21 days later.

But for Klein, the fallout continued even after his reinstatement. He said that he lost "the lion's share" of his annual income because he was dropped by law firms and corporations that he had done consulting work for. Klein said even though students have moved on to other causes, he's not sure he ever will.

He added that that's the reason he filed the lawsuit against UCLA so that no employee should ever "cower in fear" or allow themselves to be silenced.

"I did this because the school has continued to retaliate against me, and other scholars are facing retaliation, and I thought it was important for someone to step up and say, 'enough.' I have the legal skills and training to do so, so I'm stepping up," Klein told *The Washington Times*.

<https://www.newsweek.com/professor-suspended-not-giving-black-students-easier-final-exam-sues-ucla-1634873>