

October 12, 2023

Dear President [XXX]:

We, the undersigned Jewish and civil rights organizations, write to express our shared concern about the safety and well-being of Israeli and Jewish members of your campus community following the most brutal and ruthless acts of terrorist violence in Israel's history, and the worst pogrom committed against Jews since the Holocaust.

We call upon you to fulfill the moral and leadership responsibility entrusted to you as a university president, by speaking out now to voice your unequivocal condemnation of Hamas, its terrorist violence against Israel, and its declaration of war against the Jewish people everywhere, as well as your solidarity with and support for your Israeli and Jewish students, faculty and staff.

Indeed, you cannot, in good conscience, remain silent or even neutral in the face of evil of this magnitude, particularly when it impacts members of your campus community and triggers your legal obligation to act.

As has been widely reported, Saturday October 7, which was both the Jewish Sabbath and Holiday of Simchat Torah, Hamas terrorists began deliberately launching thousands of rockets from Gaza into Israeli civilian areas and infiltrated Israeli communities by land, sea and air in a coordinated and unprovoked surprise attack. The terrorists then murdered, tortured, raped, kidnapped, and abused as many Israeli civilians as they could find in Israel's streets, homes and communities. The horrific details and extent of Hamas' brutality has been widely documented by reputable news outlets worldwide; it includes the execution of over 200 young people at an outdoor music festival celebrating peace and the slaughter of entire Israeli families in their homes. President Biden has properly labeled these crimes as evil. It is astounding to us that so many college students insist on celebrating this evil.

While the death toll continues to rise, as of this writing, Hamas terrorists have murdered over 1200 Israelis, wounded over 2,000 Israelis and kidnapped over 150 Israelis who are being held in Gaza and whose fate is currently unknown; these victims include civilian men, women, babies and children, the elderly, and Holocaust survivors. Americans are among the victims; Hamas has killed at least 22 American citizens and at least 17 others are unaccounted for. As the Hamas charter makes clear, these terrorists are motivated by an ideology of Jew-hatred and the desire to destroy the Jewish State of Israel through force.

Many Israeli and Jewish members of your campus community are personally impacted by these horrific events as they have family and friends who were and are

victimized by Hamas' violence; others are devastated by a shared sense of collective grief and trauma over this modern-day pogrom perpetrated against their fellow Jews by an organization that also wants them dead.

Many world leaders, including President Biden, communities and good people everywhere have rallied around Israel and its citizens, expressing their support for and solidarity with Israelis and the Jewish people during their time of individual and collective grief, as well as unequivocally condemning Hamas' terrorist violence. As the leaders of France, Germany, Italy, the United Kingdom and the United States of America said in a joint [statement](#) "the terrorist actions of Hamas have no justification, no legitimacy, and must be universally condemned. There is never any justification for terrorism."

Tragically, despite the brutal nature of the horrors committed by Hamas, there are still groups who support, celebrate, justify and even glorify last weekend's massacre of Jews and Israelis. We are particularly concerned, as we hope you also are, by the number of public displays of support on U.S. campuses for the atrocities perpetrated by Hamas.

As you may be aware, National Students For Justice in Palestine (SJP) has declared Thursday, October 12, 2023 as a "National Day of Resistance" and has called on local SJP chapters across the country to participate. This group's "resistance day [toolkit](#) describes the atrocities by Hamas as "a historic win for the Palestinian resistance." SJP materials refer to 75 years of "occupation" and the need for "total return and liberation [of] Palestine." The call for "Palestine to be free" is not a call for co-existence, or the creation of two states. It is a call for the total elimination of the Jewish state of Israel through genocidal violence.

Many local SJP chapters on campuses nationwide have heeded National SJP's call to action and are planning to participate in this day of hate.

The call to action explicitly calls for participants to "disrupt" their campuses. To be clear, there is no right to disrupt the educational activities of others, much less the political or religious activities (e.g., Hillels) of others with different (and sounder) moral and political views.

We expect that if disruptions do occur, school authorities, including the police, will promptly intervene and that appropriate disciplinary measures will be taken. It perverts the First Amendment and academic freedom to confuse disruption with freedom.

Jewish and Israeli students on campus are deeply concerned about their physical safety in light of these upcoming events, which may celebrate and encourage further violence against Jews. In addition, these programs are likely to foster a hostile

climate for Jewish and Israeli students. Events like these demonize those Jews who take pride in the Jews' shared ancestry and ethnicity, an integral component of Jewish identity.

These events are particularly harmful for Israeli and Jewish students, faculty and staff on your campus who are still reeling with anguish and grief over the recent tragedy in Israel. Unsurprisingly, Jewish students have reached out to some of our organizations ahead of these planned events expressing fear for their safety on campus.

Your university must protect the physical safety of all students, including these Jewish and Israeli students, as well as their right to freely express their ethnic and ancestral identity. Recent U.S. Department of Education guidance on Title VI of the Civil Rights Act of 1964 ("Title VI") explains that a "hostile environment" is created when unwelcome conduct "is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from" an educational program or activity.

Events that celebrate Hamas' cold-blooded murder of Jews, are "subjectively and objectively offensive." Given the likelihood of harassment during these events, you may not simply look aside. You must take action now, including "prompt and effective steps reasonably calculated to end" any hostile environment that may form on your campus.¹

In light of all of the above, we urge you and your university to take the following actions to support and protect your Jewish and Israeli students, faculty and staff:

- 1) Issue a public statement expressing solidarity with Jewish and Israeli members of your campus community who are impacted by this tragedy. Forcefully condemn the attacks in Israel by Hamas terrorists and denounce rhetoric by any individuals or student groups on your campus that celebrates or in any way excuses or justifies this violence.
- 2) Not in your name: Make sure that any events celebrating antisemitism or violence or glorifying terror do not have the name, word mark or seal of your school or any of its departments or programs associated with it, and publicly denounce such events as completely counter to your institutional values. Now is the time for moral clarity and leadership.
- 3) Take all appropriate security measures to ensure that Jewish and Israeli identified students as well as facilities and living spaces, e.g., Hillel and

¹ See Russlynn Ali, "Dear Colleague Letter" at 2-3, U.S. DEP'T EDUC.—OFFICE FOR C.R. (Oct. 26, 2010) [hereinafter 2010 Dear Colleague Letter], <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-2010.pdf> ("[Under Title VI, a] school is responsible for addressing harassment incidents about which it knows or reasonably should have known").

Chabad buildings, are physically safe and secured through deployment of appropriate law enforcement resources, especially during campus events such as those planned by SJP that promote antisemitism by celebrating and glorifying violence against Jews and Israelis.

- 4) Speak out promptly, forcefully and clearly against antisemitic hate speech by community members on your campus, recognizing that antisemitic rhetoric can take many forms, including disparaging or demeaning Jews as a group, or erasing or denying the Jewish people's historical and shared ancestral connection to the Land of Israel.
- 5) Use such moments to educate your campus community about the oldest form of hatred, including contemporary forms of antisemitism that target Jewish shared ancestral and ethnic identity; and reach out to Jewish and Israeli members of your campus community to hear from them about how antisemitism on campus affects them.
- 6) Vigorously enforce your university's rules and policies, hold violators accountable, and report them to law enforcement if the evidence warrants it.
- 7) Educate your community to recognize and address antisemitic harassment and discrimination as defined in U.S. law, including Title VI of the Civil Rights Act of 1964, Executive Order 13899 on Combating Anti-Semitism, and the International Holocaust Remembrance Alliance Working Definition of Anti-Semitism (the IHRA Definition). Formally adopt the [internationally-recognized](#) IHRA Definition, including its accompanying illustrative examples, if you have not already done so.
- 8) Ensure that Diversity, Equity, and Inclusion (DEI) staff provide support and resources to Jewish and Israeli students in their time of need and ensure their inclusion in DEI programming. Make sure DEI officers are trained to understand all contemporary forms of antisemitism, including antisemitism that targets Jews on the basis of their shared ancestral connection to Israel. Incorporate the IHRA Definition into DEI training. Ensure that DEI officers understand that for most Jewish Americans, support for Israel reflects an integral component of their Jewish identity.
- 9) Reach out proactively to Israeli and Jewish members of your campus community who may be impacted by the situation in Israel and offer support services such as mental health counseling. Ensure that all counselors are trained and prepared to support Jewish students who may be facing trauma, including training in response to antisemitism. Listen to the needs of your community. It is okay to acknowledge that you do not fully understand all

that your students and faculty are now experiencing. Keep your doors open, listen, learn and lead.

- 10) Make appropriate academic and administrative accommodations for Jewish students who require reasonable academic accommodations given the personal and/or family trauma they have experienced, as well as Israeli students, faculty and staff who may be serving in the Israeli Defense Forces reserves and must return immediately to their home country.

There has never been a more urgent time for you to exhibit moral leadership and moral clarity. Your Jewish and Israeli students, faculty and staff need and deserve just as robust and vigorous a showing of support and protection as you would provide to any other minority group under duress.

The world is watching; history will judge your institution's actions at this moment. Will you rise to the occasion?

Sincerely yours,

The Louis D. Brandeis Center for Human Rights Under Law
American Jewish Committee (AJC)
Anti-Defamation League (ADL)
Combat Antisemitism Movement (CAM)
Conference of Presidents of Major American Jewish Organizations
Hillel International
Israel on Campus Coalition (ICC)
Jewish Federations of North America (JFNA)
Jewish on Campus (JOC)
Zionist Organization of America (ZOA)