

## **University Presidents and Campus Leaders:**

Since the October 7th terrorist attacks by Hamas, a tsunami of antisemitism has swelled on U.S. college and university campuses, reaching an unprecedented peak – a shocking 500 antisemitic incidents – within a three-month period alone. By way of comparison, during the same period last year, ADL (the Anti-Defamation League) recorded only 42 such incidents on campuses.

There is no question that Jewish and Israeli students are increasingly concerned about their physical safety on campus – and increasingly uncomfortable with other students knowing that they are Jewish – as a result. ADL's **recent survey** in partnership with Hillel International found that 73 percent of Jewish college students have experienced or witnessed antisemitism since the start of the 2023-2024 school year. Prior to October 7, 67% of Jewish students said they felt physically safe on campus; after October 7, only 46% felt physically safe; prior to October 7, 66% of Jewish students felt emotionally safe; after October 7, only 33% felt emotionally safe.

This data is deeply concerning, and ADL has been sounding alarm bells for months, pushing campuses to speak out and adopt systemic policy changes to protect their Jewish students. In our <u>open letter to</u> <u>campus administrators</u> at the beginning of the school year, for example, we and our partners provided eight recommendations for campus administrators, consistent with the <u>U.S. National Strategy to Counter</u> <u>Antisemitism</u>, to help create an inclusive and safe environment on campus for Jewish students. In the wake of the October 7 terrorist attacks, we updated our list to include <u>key commitments</u> colleges and university can make, now, to counter the antisemitism that has taken hold.

Tragically, our recommendations have failed to gain the necessary traction, while students engaging in antisemitic harassment, threats, and intimidation on campus have faced few consequences for their actions. At the same time, leaders of some of our nation's most elite universities have equivocated in this moment of crisis, not only when it comes to enforcing codes of conduct, but also with respect to assuring students that certain forms of harassment – including calls for genocide against the Jewish community – would violate university policies. This is simply unacceptable.

In response, ADL is offering a provision that institutions of higher education can consider integrating into their existing codes of conduct to address identity-based harassment that creates a hostile environment. We are also calling on all campus leaders to ensure that their respective codes of conduct are unequivocally upheld and evenly enforced.

If your existing equal opportunity and/or anti-discrimination policies do not already include prohibitions against discrimination based on shared ancestry and ethnic characteristics, or provisions prohibiting identity-based harassment that creates a hostile school environment, we urge you to revise those policies accordingly. We also urge you to take steps to ensure transparency regarding these policies and the procedures in place for reporting and responding to incidents, as well as transparency regarding disciplinary actions taken in response to reports of identity-based harassment, moving forward.

We look forward to continuing to support you in this work.



## Sample Code Provision – Harassment that Creates a "Hostile Environment"

"It is a violation of [INSERT UNIVERSITY NAME] Code of Conduct to engage in harassment that creates a hostile environment.

Harassment creates a hostile environment when, from the viewpoint of a reasonable person under all relevant circumstances, the harassment (whether speech-based or conduct-based), is unwelcome, based on actual or perceived race, color, religion, ethnicity, national origin, ancestry, sex, disability, or gender and/ or gender identity or expression, and is so severe, pervasive or persistent so as to interfere with, limit, or deprive a student or students from participating in or benefiting from the university's educational, extra-curricular, and/or campus-residential services, activities or opportunities.

Examples of harassing conduct that may create a hostile environment include, but are not limited to:

- threats to one's person or property, intentional incitement to violence, or harassment targeting a specific student or group of students based on one of the above characteristics (e.g., calling for the genocide, killing, expulsion from a country, or extinguishment of a specific person or group of people based on one or more of the above characteristics); or
- intentionally displaying posters or signs, or using light or laser projections or social media to form text, graphics, logos, or any other images, that contain true threats or are made with the malicious intention to cause another person or group to fear for their physical safety based on one of the above characteristics; or
- harassment that physically interferes with or obstructs the ability of students or faculty to enter or use school property or their freedom of movement throughout campus based on one or more of the above characteristics.

[INSERT UNIVERSITY NAME] is committed to protecting free speech and has a responsibility to promote robust freedom of academic debate and deliberation. Freedom of debate and deliberation cannot happen on campuses that allow hostile environments created by harassment to foment that prevent students from fully and freely participating in campus life based on their protected identity characteristics. Further, for the avoidance of any doubt, our university will have no tolerance for any harassing speech or conduct that creates a hostile environment. This harassment will be deemed a violation of our code of conduct, and students who are responsible for violations will be subject to disciplinary consequences in accordance with the processes and procedures set forth in this Code."