

## Preliminary Recommendations from the Working Group on Jewish Life and anti-Jewish Anti-Israeli Harassment

Our working group has been meeting approximately every two weeks since early February when the group was convened. We have made many discoveries about what Jewish and Israeli life on campus has been like this past year since October 7<sup>th</sup>. There are a couple of outstanding observations that we would like to underscore.

First, there is no adequate set of mechanisms to protect Jewish and Israeli faculty, staff and students on campus. Students in particular have been the target of aggression from other students and sometimes from faculty members, who have made inappropriate, often ignorant, remarks in class about the conflict and have made Jewish and Israeli students very uncomfortable as a result, creating a hostile learning environment for them. Students have for the most part been afraid of retaliation from their instructors or further shunning/canceling from peers and have not formally reported incidents to the University. The chair of this committee and other committee members have heard quite a few informal reports from students, who often commented that they did not feel that there was an adequate reporting system and that when incidents were reported, follow-up was lacking.

Another aspect to the conflicts on campus is that that these incidents have been triggering for members of other minorities, as the trauma of discrimination can easily be reactivated.

We do not intend to speak for our fellow group on Muslim and anti-Arab harassment, but our committee feels that many of the recommendations we are making could or should be made in tandem with the other group. Muslim and Arab students also lack sufficient antidiscrimination protection, and we see this as an overall problem. However, our charge is to make recommendations specifically for Jewish and Israeli members of the BU community, and so our recommendations reflect that charge.

The following is a preliminary and partial list of recommendations that our committee has developed and voted upon. There may well be other recommendations that will be suggested next year if this group, or some iteration of it, continues. Implementation will need to take into account the need for resources, as well as transparency regarding the realization of these recommendations.

We are submitting a separate document pertaining to definitions of antisemitism.

The following set of recommendations were strongly supported by the members of the Working Group (eleven votes in favor, one abstention).

1. The development of a centralized and robust reporting system, for antisemitism, anti-Israeli discrimination/harassment and Islamophobia, anti-Arab discrimination/harassment, with assurances that incidents will be followed up on and appropriate action taken. This should not be an anonymous system, but confidentiality must be assured. This system should be university wide and well-publicized, with delegated officials in each college responsible for investigations and reports. It should be built upon an already existing system, which may need to be refreshed and restructured in order to function adequately for the needs of the community.
2. Consistent enforcement of the student conduct code when there are violations of it.
3. Ensure compliance with all applicable laws and regulations and University policies, including but not limited to the following:

Discrimination and Harassment of Jews and Israelis:

- Titles VI and VII of the Civil Rights Act.
- Adhere to DoE guidance and court decisions on antisemitism and national origin discrimination.
- Federal anti-bullying laws (which provide federal protection and that have a definition of bullying which include speech-related bullying and cover bullying based on national origin).
- Anti-BDS legislation including the Anti-Boycott Act of 2018, Part II of the Export Control Reform Act of 2018 (ECRA), and the antiboycott provisions set forth in Part 760 of the Export Administration Regulations, 15 CFR parts 730-774 (EAR); States' anti-boycotting laws (where applicable) and international anti-boycotting trade law (where applicable).
- Enforce university codes of conduct (e.g. any faculty codes of conduct, student codes of conduct) created by the University as well as individual units with respect to discrimination and harassment of Jews and Israelis.

Free speech and academic freedom of Jews and Israelis

- Ensure the free speech and academic freedom of Jews, Israelis, those wishing to work with, invite, research, visit etc. Israel and/or with Israelis.
- Enforce University codes of conduct (e.g. any faculty codes of conduct, student codes of conduct) created by the University as well as individual units with respect to free speech and academic freedom of Jews, Israelis, and anyone wishing to collaborate with Israelis, study Israel – related topics, travel to Israel, etc.

- Ensure that the same balance of the protection of speech and anti-harassment and discrimination that is struck for the protection of other minorities be applied to Jews and Israelis. For the foreseeable future, this will require some review mechanism that ensures compliance.

Antiracism, Diversity, Equity, Inclusion, and Belonging of Jews and Israelis

- Ensure that all University policies on the above are applied to those categories of individuals. In particular, to the extent that BU has set for itself policies that go beyond the federally-required minimums -- e.g., antiracism and belonging -- that those be extended to these groups.

Equal Opportunity, Free Speech and Academic Freedom in international collaborations.

- Ensure that any international collaborations undertaken by BU faculty, staff and students and/or using BU resources adhere to BU's above policies, and applicable federal and state law as those relate to Jews and Israelis.

4. Training for faculty and staff; training for incoming first-year students that is mandatory on how to recognize antisemitic and anti-Israeli discrimination/harassment as well as other forms of discrimination. Training on national origin discrimination of Israelis to the community and Title VI implications. Specifically, mandatory training to all members of the university community, including student leaders and student groups, on the following:

- Discrimination and harassment as it relates to Jews and Israelis.
- Free speech and academic freedom of Jews and Israelis
- Ensure that members of the community understand both what is and what is not protected by free speech and academic freedom.
- Explain the difference between free speech and academic freedom (including the different legal status of each).
- Explain the difference between speech (protected by the 1<sup>st</sup> Amendment) and conduct (not protected by the 1<sup>st</sup> Amendment).
- Antiracism, Diversity, Equity, Inclusion, Belonging of Jews and Israelis.
- How to report incidents.
- Mandatory training for supervisors and mandatory reporters.
- Mandatory training for GC, Title VI and VII officers, DEI staff (e.g. associate deans for DEI).
- Mandatory training to anyone involved in academic journals on:  
Free speech of Jews and Israelis.

Academic standards of blind review and publication irrespective of race, religion, and national origin.

Training on anti-Israeli discrimination should be done separately. Training on antisemitism cannot be used in lieu of training on anti-Israeli discrimination and harassment; they are both necessary.

5. Listening sessions, inviting relevant senior administrators (e.g. president, provost, GC, Title VI officer, AP for DEI, unit heads (deans and heads of departments) and associate deans) with Jewish and Israeli students, staff, and faculty representing diverse perspectives.

Meetings with Jewish members of the community should not be done in lieu of meetings with Israeli members. They are two separate, although often overlapping groups.

6. Inclusion of antisemitism and anti-Israeli discrimination in DEI initiatives, and training of DEI staff. DEI/antiracists professionals at the University to educate the Working Group as well as deans of students, etc. on the 'tool box' used to combat other forms of discrimination.

7. Education about what constitutes free speech and what constitutes hate speech; initiatives on encouraging better speech and civil discourse.

8. Ensure non-discrimination in resource allocation to Israeli students, faculty, and staff and to Israel studies, including, e.g., speakers, fellowships, exchange programs, conferences, etc. For the foreseeable future, this will require a mechanism to review and ensure compliance.

9. Standing committee on Antisemitism, anti-Israeli discrimination, and Jewish and Israeli Inclusion, Equity and Belonging. For the foreseeable future, there will need to be a committee that monitors compliance with the recommendations above and identifies emerging issues regarding antisemitic and anti-Israeli activities on campus.

10. University communications. Ensure that both antisemitism and anti-Israeli discrimination and harassment are included as examples in various University documents. Referencing antisemitism is not a substitute for referencing anti-Israeli discrimination.