



August 20, 2021

**VIA EMAIL**

Office for Civil Rights  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1475

Re: OCR Complaint No. 11-19-2215 – Resolution Agreement  
with the University of North Carolina at Chapel Hill

Dear Chief Regional Attorney:

We write to inform you that the University of North Carolina at Chapel Hill (UNC) is in breach of the Resolution Agreement it signed on October 14, 2019. (A copy of the Agreement is enclosed.) The Agreement was intended to resolve the April 2019 complaint filed by the Zionist Organization of America (ZOA), which alleged that UNC discriminated against Jewish students in violation of Title VI of the Civil Rights Act.

The Resolution Agreement requires UNC to “take all steps reasonably designed to ensure that students enrolled in the University are not subjected to a hostile environment and to respond to allegations of anti-Semitic harassment.” UNC has failed to take those steps.

UNC knows that students are likely to face a hostile environment in a course being taught this fall (titled “The Conflict over “Israel/Palestine”), based on the public statements of the instructor whom UNC has selected to teach the course – a Ph.D. student named Kylie Broderick. Broderick has openly promoted false and antisemitic lies about Israel – including that Israel has no right to exist – and she openly rejects any views that differ from hers. Knowing this, UNC has nevertheless permitted this course to proceed as scheduled, with Broderick as the instructor.

Please consider this evidence from Broderick herself:

- Broderick has posted on Twitter that “[All of Israel is occupied Palestinian territory](#),” which means that Broderick denies Israel’s right to exist and is calling for its elimination.
- Broderick has publicly demanded that “[everyone at UNC](#)” single out the one Jewish state in the world for condemnation and punishment, by supporting the anti-Israel and antisemitic boycott, divestment and sanctions (BDS) movement. She has publicly [urged](#)

the UNC community to “boycott Israeli products,” “investigate UNC investments,” and “agitate in your departments for Palestinian liberation.”

- Broderick has publicly stated that boycotting Israel is “[the only choice](#).” She has publicly demanded that [no one buy](#) any Israeli products. And she has publicly urged all Middle East Studies centers and programs to issue statements condemning “[Zionist colonial violence against Palestinians](#).”

Broderick’s statements cross the line into antisemitism, based on the [definition](#) used by the U.S. government and more than 30 countries around the world. While her antisemitism and anti-Israelism are surely enough to question how safe and welcoming her classroom will be for Jewish and pro-Israel students, an additional concern – affecting all students – is her open contempt and intolerance for views that are different from hers.

Broderick has publicly rejected those who do not support the “[liberation of Palestine](#)” – i.e., the destruction of Israel – and she has issued this pointed and crude directive to them: “[Don’t be a coward](#)” and “[speak the f—k up](#).”

To Broderick, there is no room for differing points of view. When it comes to Israel and the conflict in the Middle East, she says that “[there is only side – the oppressed – versus imperialist propaganda](#).” The facts do not matter.

Numerous members of the Jewish and pro-Israel community have expressed justifiable concern about whether students will feel safe and welcome in Broderick’s class. A member of the UNC Board Advisors to the University’s Center for Jewish Studies wrote to the UNC Board and officials, [stating](#), “Broderick’s very public anti-Israel positions - including her demand that all of UNC engage in a boycott of Israel - will make it exceedingly difficult if not impossible to have open and fair classroom discussions for any student interested in Judaism and Israel. Moreover, UNC cannot have students, when expressing their opinions, worry that the teacher’s hostility directed at them may well affect their grades.”

North Carolina Hillel also issued a [statement](#) on August 6, 2021, expressing “fear that students who support and have a connection with Israel will be unwelcome or unsafe in this class, impinging on their academic freedom.”

Closing their eyes to these well-founded concerns, UNC’s Chancellor, Provost and the Dean of the College of Arts and Sciences sent out an [email](#), expressing that they are “confident” that students enrolled in Broderick’s class “will benefit from a thoughtful presentation of information relevant to the Israeli/Palestinian conflict.”

On August 11, 2021, the ZOA wrote to UNC Chancellor Kevin M. Guskiewicz, reminding him of UNC’s obligations under the Resolution Agreement. We recommended several reasonable steps that the Chancellor should take to ensure that Jewish and pro-Israel students would not be subjected to a hostile environment – as required by the Agreement – and requested a response from the Chancellor by August 18, 2021. To date, we have not heard from him or anyone else at UNC.

In the meantime, classes are already underway, and Jewish, pro-Israel and other students are at risk if the course on “Israel/Palestine” continues to be taught by an instructor who openly declares that she has zero tolerance for views that do not demonize Israel or deny Israel’s very right to exist.

We respectfully urge you to take the following steps in accordance with the Resolution Agreement. Notify UNC of its alleged breach of the Resolution Agreement and give UNC sixty days to cure the breach. If UNC fails to do so, then initiate administrative or judicial enforcement proceedings and hold UNC accountable under the law.

Thank you for your attention to this matter. We look forward to your response.

Very truly yours,

A handwritten signature in blue ink that reads "Morton A. Klein". The signature is written in a cursive style with a large initial 'M'.

Morton A. Klein  
National President

A handwritten signature in blue ink that reads "Susan B. Tuchman, Esq.". The signature is written in a cursive style with a large initial 'S' and a long horizontal flourish at the end.

Susan B. Tuchman, Esq.  
Director, Center for Law & Justice

Enclosure