



COMMONWEALTH *of* VIRGINIA

Office of the Attorney General

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Attorney General

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Richmond, Virginia 23219

Friday, December 15, 2022

Virginia Council of Presidents
Chairman Tim Sands
Burruss Hall, Ste 210
800 Drillfield Dr
Blacksburg, VA 24061

Dear Chairman Sands and the Council of Presidents,

Antisemitism is the oldest and most sustained form of bigotry known to mankind. Jews have been the target of hatred and malice for thousands of years—hatred and malice which they have always overcome with great courage and determination. Although America's commitment to religious pluralism has made it a relative safe haven for Jewish immigrants since our Founding, American Jews have at times dealt with horrifying antisemitic discrimination and violence.

This has historically been true of American colleges and universities. For example, as Jews emigrated to the United States in the late nineteenth and early twentieth centuries, they earned admission to prestigious universities across the country. Those universities responded to the success of Jewish students by changing their admissions requirements to restrict the number of Jews who could attend.

Sadly, antisemitic discrimination in American higher education is not merely a shameful legacy.

It is happening today. Right now.

A recently released study by the Anti-Defamation League reported that over 350 Anti-Israel incidents took place on college and university campuses during the 2021-2022 academic year. These events adversely affect the Jewish students attending these institutions and, in some instances, endanger their lives. Recently, Jewish students at Berkeley University Law School, George

Washington University, and Vanderbilt University have been harassed and excluded from student life because of their faith. Indeed, the *Wall Street Journal* recently reported that antisemitism has become so rampant on American college campuses that Jewish students have been forced to conceal their identities to protect themselves from discrimination and violence. This type of religious discrimination is unacceptable, goes against the very core of our American ideals, and is blatantly unconstitutional.

A group of Jewish, Zionist law students recently wrote about the “unacceptable tolerance for excluding and demonizing Zionist identities” at Berkley Law where, organizations campus-wide recently adopted a Boycott, Divestment and Sanctions (BDS) bylaw, and student leaders attended a Palestine 101 required training. The extreme training, as recounted by student participants, described Israel as “an illegitimate state that does not have the right to exist . . . [T]he only option to protect Palestinian students is to exclude Zionists and denounce Zionism.”

I am proud of our system of public and private higher education in the Commonwealth, but we must ensure that our institutions serve all students. Additionally, our institutions should remain centers of thought leadership and diversity, teaching the next generation how to think and not what to think.

But diversity and academic freedom cannot survive when groups of students are compelled to conceal their religious identity in order to avoid harassment or violence. Students cannot be active and involved members of their university community in the face of exclusionary policies. Academic freedom and inquiry cannot survive in a maelstrom of religious discrimination.

I bring this to your attention because I know we can all agree that discrimination, of any kind, is unacceptable. Every student, regardless of their faith or background, should feel welcomed on every college and university campus in our Commonwealth.

Unlawful religious discrimination of any kind at our institutions of higher education, whether public or private, will not be tolerated by my Office. Please do all you can to ensure that your Virginia administrations and student organizations do not engage in antisemitic conduct or religious discrimination.

I remain grateful for your continued service to our Commonwealth and to our students. My office stands ready to assist should you have any questions.

Sincerely,



Jason S. Miyares
Attorney General

cc: University Counsels
Rectors, University Boards of Visitors