



The Louis D. Brandeis Center, Inc. (LDB) is an independent, non-partisan institution for public interest advocacy, research and education. The Center's mission is to advance the civil and human rights of the Jewish people and to promote justice for all.

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Brandeis Center Commends Dept of Education for Milestone Anti-Semitism Resolution

First Time Biden Administration Has Applied Title VI of the Civil Rights Act to Anti-Zionist Discrimination

Washington, D.C., (April 4, 2023): Kenneth L. Marcus, founder and chairman of the Brandeis Center, and Alyza D. Lewin, president of the Brandeis Center, issued the following statements today in response to the U.S. Department of Education Office for Civil Rights (OCR) Resolution [Letter](#) and [Agreement](#) requiring the University of Vermont (UVM) to make substantial changes after failing to respond to numerous complaints of anti-Semitic harassment and discrimination:

Marcus

"As the Jewish community prepares for our Passover holiday, we can celebrate this milestone victory in the battle against campus anti-Semitism. If my OCR successor, Assistant Secretary of Education Catherine Lhamon, had only found that our complaint raised serious civil rights concerns, it would have been enough. If she had only required UVM to enter into a robust and substantial resolution agreement to resolve our claims, it would have been enough. If she had only reiterated our claims relative to anti-Zionism, and indicated that these claims needed to be addressed promptly and effectively, it would have been enough. What she has in fact done is to signal to the higher education community that Jewish students must be given the same protections as any other group, including when they face harassment based on Zionist identity. We are thankful that OCR, under Ms. Lhamon, has sent a strong message to colleges and universities: they must not tolerate anti-Semitism. If they do, they will be held accountable."

Lewin

"The UVM resolution agreement is not only significant, it is truly historic and precedent-setting. It demonstrates that OCR takes seriously a prevailing form of anti-Semitism on campus, anti-Semitism that masks as anti-Zionism. It is not sufficient to protect Jews on the basis of their religious practice. Judaism is an ethno-religion and Jews are protected by law from discrimination that targets them on the basis of their Jewish peoplehood and the Jews' shared ancestral ethnic heritage, which is inextricably linked to the land of Israel. We applaud OCR for recognizing this and for using the resolution of our complaint at UVM to send a strong message to all schools across the country that this type of anti-Semitism cannot be ignored. It is particularly fortuitous that this resolution was reached on the eve of Passover, a time when Jews around the globe celebrate the shared memory that binds Jews together as a people, the Jewish exodus from slavery to freedom and the emergence of the Jewish nation."

OCR [announced](#) yesterday that the complaint is resolved, with UVM [agreeing](#) to implement several critical reforms, including requiring the university to make clear in its anti-discrimination policies and trainings that anti-Semitic discrimination against Jews includes discrimination that is based on the Jews shared ancestry and ethnicity.

The Brandeis Center points out that what is significant here is OCR's strong response to a complaint that emphasized the shunning, marginalization, exclusion and bullying of Jewish students for whom Zionism is an essential component of their identity. OCR made abundantly clear that the University had not done what was necessary to protect these students, and it has insisted in the resolution on changes to prevent this inaction in the future. In fact, OCR warned that the University's failure to investigate appropriately may have "allowed a hostile environment for some Jewish students to persist at the University."

The Brandeis Center adds that while what OCR did is a significant milestone, this is just a first step for UVM. OCR must carefully monitor the University's compliance to ensure that its promises are not just empty words. The University will need to carry through and take concrete actions to protect Jewish students if it is to improve the climate on campus.

After hearing [personal accounts](#) from numerous students about pervasive anti-Semitism at UVM, the Brandeis Center, in conjunction with Jewish on Campus, [filed](#) the Title VI complaint that led OCR to open the [investigation](#) that resulted in this resolution.

The Louis D. Brandeis Center for Human Rights Under Law is an independent, unaffiliated, nonprofit corporation established to advance the civil and human rights of the Jewish people and promote justice for all. LDB engages in research, education, and legal advocacy to combat the resurgence of anti-Semitism on college and university campuses, in the workplace, and elsewhere. It empowers students by training them to understand their legal rights and educates administrators and employers on best practices to combat racism and anti-Semitism. The Brandeis Center is not affiliated with the Massachusetts university, the Kentucky law school, or any of the other institutions that share the name and honor the memory of the late U.S. Supreme Court justice.