

Letter to Education Secretary Betsy DeVos: 88 Organizations Urge Safeguards Against NRC Abuse of Federal Funds

SENT VIA EMAIL

December 4, 2019

Dear Secretary DeVos,

We are 88 education, civil rights and religious organizations, representing hundreds of thousands of members and supporters. Many of our organizations wrote to you last fall regarding our concern that some directors and affiliated faculty at federally-funded Middle East Studies programs who support an academic boycott of Israel have attempted and will continue to attempt to implement that boycott in ways that directly violate the legislative intent of Title VI HEOA. We are writing once again because we believe it is more critical than ever that your Department address this growing threat.

Recent incidents have demonstrated the willingness of faculty across the country to implement the academic boycott of Israel on their campuses. Last September, a University of Michigan professor who supports the academic boycott of Israel refused to write a letter of recommendation for a student wanting to study at Tel Aviv University. In November, the entire faculty body at Pitzer College voted to suspend the school's study abroad program at the University of Haifa, in compliance with the academic boycott of Israel. And in March of this year, New York University's Department of Social and Cultural Analysis passed a resolution of non-cooperation with the university's school in Israel.

It is of particular concern that more than half the directors of currently Title VI-funded Middle East Studies National Resource Centers (NRCs) have pledged support for an academic boycott of Israel or engaged in boycott-compliant behavior, including attempts to shut down their universities' study abroad programs in Israel, as have these centers' affiliated faculty. In fact, two events recently hosted by NRCs at the University of Michigan and New York University each defended the right of faculty to implement an academic boycott of Israel. Nor do these appear to be isolated occurrences. A study of more than 100 Middle East Studies programs across the country, including all 15 NRCs, found that departments with one or more faculty who support an academic boycott of Israel were 5 times more likely to sponsor events with boycott-supporting

speakers than departments with no faculty boycotters, and departments with academic boycott-supporting chairs or directors were 3.5 times more likely to sponsor such events.

As you know, Title VI authorizes the Department of Education to provide grants to area studies programs at institutions of higher education for the following purposes:

- To produce increased numbers of trained personnel and research in foreign languages, area studies, and other international studies;
- To develop a pool of international experts to meet national needs;
- To develop and validate specialized materials and techniques for foreign language acquisition and fluency, emphasizing (but not limited to) the less commonly taught languages;
- To promote access to research and training overseas, including through linkages with overseas institutions;
- To advance the internationalization of a variety of disciplines throughout undergraduate and graduate education.

In stark contrast, an academic boycott calls for cutting off linkages with educational institutions in the boycotted country and unavoidably impairs the ability of students to travel to or study about the country or its language, and the ability of faculty to write, teach, and pursue scholarly research in this region of the world. In particular, the academic boycott of Israel urges faculty to work towards shutting down study abroad programs in Israel and refusing to write letters of recommendation for students who want to study there; sabotaging colleague's research collaborations with Israeli institutions and scholars; and blocking or canceling campus events and educational activities that "promote the normalization of Israel in the global academy."

While acknowledging that a faculty member's right to express support for an academic boycott of Israel is protected by academic freedom, **were the director or affiliated faculty of an NRC to implement an academic boycott of Israel or any other country within their center's purview, it would explicitly contravene the purposes of Title VI and the will of Congress.** It is unacceptable that federal funds could be used to implement an academic boycott that directly contravenes the purposes for which these funds have been granted. Area studies programs whose directors or affiliated faculty engage in such behavior should be ineligible to receive or renew Title VI funding.

To address the threat posed by this loophole in federal law, Congressman Glenn Grothman recently introduced an amendment to HEOA to ensure Title VI funds are used only for their intended pedagogical purposes, not faculty members' personal politics. His amendment provided a clear and easy fix to a large and looming problem.

Unfortunately, in this climate of increased partisanship, his sensible solution failed along party lines. In light of your September ruling that it is unlawful for institutions of higher education to use Title VI funds for purposes not intended by the law, we ask that you take executive action now to ensure this ruling is followed. Your immediate action is critical until Congress can permanently fix this problem.

We therefore once again urge the Department of Education to:

- Issue a statement warning NRC directors and affiliated faculty that implementing an academic boycott of one of the countries in the NRC's purview would be a direct subversion of the stated purpose of Title VI funding.
- Require area studies program directors applying for or renewing NRC or FLAS funding to sign a statement affirming that neither they nor any of their program's affiliated faculty will, as part of their academic responsibilities, implement an academic boycott of any of the countries within the purview of their program in such a way as to restrict or limit the academic opportunities of their students or colleagues.

Sincerely,

Academic Council for Israel
Aggies for Israel
Alpha Epsilon Pi Fraternity (AEPi)
Alums for Campus Fairness - National
Alums for Campus Fairness - UC Davis
Alums for Campus Fairness - UC Riverside
Alums for Campus Fairness - UCLA
AMCHA Initiative
American Association of Jewish Lawyers and Jurists
American Council of Trustees and Alumni
American Institute for Jewish Research
American Jewish International Relations Institute
American Society of the University of Haifa
American Truth Project
American Values
American Zionist Movement
Americans Fighting Antisemitism
Americans for a Safe Israel
Americans for Peace and Tolerance
B'nai B'rith International

BEAR: Bias Education, Advocacy & Resources
Bnai Zion Foundation
Bobcats for Israel at Ohio University
Boston Israel Action Committee
Brandeis Center for Human Rights Under Law
Bulldogs for Israel (Brooklyn College)
California Association of Scholars
Campus Anti-Semitism Task Force of the North Shore
Center for Combating Antisemitism
Christians and Jews United for Israel
Club Z
Coalition for Jewish Values
Committee for Accuracy in Middle East Reporting in America (CAMERA)
Conference of Jewish Affairs
CUFI on Campus
Davis Faculty for Israel
Eagles Wings
Endowment for Middle East Truth (EMET)
Fuel for Truth
Grandchildren of Holocaust Survivors
Hasbara Fellowships
Herut North America, U.S. Division
Hoos for Israel (University of Virginia)
Institute for Black Solidarity with Israel
Iranian American Jewish Federation
Iranian Jewish Women's Organization
Israel in NYC
Israel Matters
Israel on Campus Coalition
Israel Peace Initiative (IPI)
Israeli-American Civic Action Network
Israeli-American Civic Education Institute
Israeli-American Council (IAC)
JAM
Jewish American Affairs Committee of Indiana
Jewish War Veterans of the USA
Legal Insurrection Foundation
Magshimey Herut
Middle East Forum
National Christian Leadership Conference for Israel

National Council of Young Israel
NCSY
NH4Israel
North Carolina Coalition for Israel
Proclaiming Justice to the Nations
Rabbinical Alliance of America
Rhode Island Coalition for Israel
Scholars for Peace in the Middle East
Simon Wiesenthal Center
StandWithUs Saidoff Legal Department
Stop Anti-Semitism Now
Stop BDS on Campus
Students and Parents Against Campus Anti-Semitism
Students Supporting Israel at Columbia
Students Supporting Israel at Drake University
Students Supporting Israel at UCLA
Students Supporting Israel National
Swarthmore Alumni Against Antisemitism on Campus
The Israel Christian Nexus
The Lawfare Project
The Union of Orthodox Jewish Congregations of America
Tufts Friends of Israel
WoMen Fight Antisemitism
Women's League for Conservative Judaism
World Jewish Congress United States
Young Jewish Conservatives
Zachor Legal Institute
Zionist Organization of America

Cc: Deputy Secretary of Education Dr. Mitchell Zais
Assistant Secretary for Postsecondary Education Robert L. King
House Education and Labor Committee Chairman Bobby Scott
House Education and Labor Committee Ranking Member Virginia Foxx
House Education and Labor Committee Member Glenn Grothman