

HEARING BEFORE THE UNITED STATES SENATE  
COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

‘ANTISEMITIC DISRUPTIONS ON CAMPUS: ENSURING SAFE LEARNING  
ENVIRONMENTS FOR ALL STUDENTS’

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Chairman Cassidy, Ranking Member Sanders, and Members of the Committee,

Good morning, and thank you for inviting me to participate in today’s hearing. My name is Carly Gammill, and I am the Director of Legal Policy for StandWithUs, a nonprofit, non-partisan organization with the mission of educating about Israel and combating antisemitism. I am a constitutional and civil rights litigator, specializing in the areas of freedom of speech and religious liberties. Before that I was a high school educator.

I was fortunate that my professional development took place in learning environments that prized the educational values of dialog, civil debate, and a “robust exchange of ideas,”<sup>1</sup> rather than activist-oriented indoctrination. Settings that sought to foster understanding of differences rather than fomenting division and discord. Unfortunately, especially for Jewish students on many of our college and university campuses today, such environments are difficult to come by.

For over a decade now, and especially since October 7, 2023, Jewish students have found their campuses increasingly hostile—not merely to their views but to the very core of who they are as Jews.<sup>2</sup> This hostility is expressed in virtually every aspect of campus life, including:

(1) protest and demonstration activity by fellow students (and outside agitators) who distort and demonize certain aspects of Jewish identity. Such activity often includes not only hateful rhetoric (including genocidal chants) but also blatant disruption of the academic environment, like taking over and shutting down spaces wholly incompatible with such activity, including classrooms, libraries, and administrative offices, blocking Jewish students’ access to campus spaces, and overtly violent conduct like property destruction and physical assault (e.g., at the end of 2023, two masked students attending a pro-Hamas demonstration at UC Berkeley assaulted a Jewish student expressing his Jewish religious and ancestral identity by wearing a kippah on his head and an Israeli flag across his shoulders)<sup>3</sup>;

(2) intentional exclusion of Zionist students from campus programs and activities (e.g., the leader of an LGBTQ group at Columbia sent a message explicitly stating that no “Zionists” would be welcome at an upcoming film event)<sup>4</sup>; and

(3) biased and factually inaccurate classroom content delivered by agenda-driven instructors seeking to indoctrinate students through misinformation and creating a hostile learning environment for Jewish and Israeli students (e.g., a faculty member at George Washington University asked students to introduce themselves the first day of class and, when one student’s introduction included their Israeli national origin, the professor responded that it was “not [the student’s] fault” they had been born in Israel and later subjected students to a

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<sup>1</sup> *Keyishian v. Bd. of Regents*, 385 U.S. 589, 603 (1967) (quoting *United States v. Assoc. Press*, 52 F. Supp. 362, 372 (S.D.N.Y. 1943)).

<sup>2</sup> Anti-Defamation League, *Audit of Antisemitic Incidents 2023*, <https://www.adl.org/resources/report/audit-antisemitic-incidents-2023> (finding that antisemitic “incidents on college and university campuses spiked by a staggering 321%” in 2023, mostly after October 7).

<sup>3</sup> <https://www.standwithus.com/post/standwithus-files-federal-civil-rights-complaint-against-uc-berkeley-for-failing-to-protect-jewish-s>.

<sup>4</sup> <https://nypost.com/2023/10/25/metro/columbia-university-lesbian-group-disinvites-zionists-from-movie-night/>.

rabidly anti-Israel lecture;<sup>5</sup> another lecturer, immediately after October 7<sup>th</sup>, asked Jewish students to identify themselves, instructed those who raised their hands to move to a small area in the back of the classroom, and told the class, “That’s what Israel does to Palestinians.”)<sup>6</sup>.

Exacerbating the problem is the failure of many administrations to acknowledge the antisemitic nature of the activity on their campuses and to equally apply and enforce relevant policies to those engaged in activity that violates those policies. Each campus has a process for reporting and responding to incidents of bias and discrimination, including antisemitism. But if administrators fail to identify a given situation as implicating those policies, impacted students are denied equal protection of their rights, and those engaged in the discriminatory conduct are emboldened to continue—and even escalate—their behavior. As a result, the hostile campus climate worsens, doing both an injustice to Jewish students, who are increasingly not merely uncomfortable but legitimately afraid to be on campus, and a disservice to the entire campus community.

Some administrations’ refusals to protect Jewish students from unlawful conduct are intentional and should be addressed accordingly, including, as appropriate, through the withdrawal of federal taxpayer dollars. But administrators who intentionally ignore, distort, or downplay these issues are not the only culprits. Information that StandWithUs has obtained during educational programs indicates that often at play is a lack of understanding regarding Jewish ancestral identity by the very administrative staff tasked with addressing antisemitism complaints.<sup>7</sup> A critical reason for this misunderstanding lies in the success of a well-organized, well-funded campaign to politicize Jewish identity, in particular Jewish ancestral identity. The operative narrative underlying this campaign has co-opted and imposed its own (erroneous) definition of a term that is integral to the religious and ethnic identity of most Jews around the world, including here in the U.S.,<sup>8</sup> with the clear intention of demonizing the term and those who identify with it. That term is “Zionism.”

Importantly, the term “Zion” refers to an actual physical location in Jerusalem (Mount Zion), significant to Jewish historical events in that land (where the Jewish people in fact *became* the Jewish people over 3,000 years ago), such that the term “Zionism” has an ancient and broad meaning, encompassing the centuries-old desire of the Jewish people to safety and sovereignty in their ancestral homeland of Israel, a desire that is borne out in a variety of ways in Jewish customs and traditions that have nothing at all to do with politics but everything to do with Jewish ancestral identity.<sup>9</sup>

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<sup>5</sup> <https://www.standwithus.com/post/standwithus-files-title-vi-complaint-against-gwu-for-discriminatory-retaliatory-antisemitic-conduct>.

<sup>6</sup> <https://www.cnn.com/2023/10/13/us/stanford-instructor-jewish-holocaust-comments-reaaj/index.html>.

<sup>7</sup> For example, many campuses task their professional Title IX offices, established to address issues of gender-based discrimination, with handling complaints under Title VI. Such staff are often, unsurprisingly, among those who lack education and understanding about Jewish ancestral identity.

<sup>8</sup> <https://www.jpost.com/diaspora/article-808658>.

<sup>9</sup> See, e.g., “Evidence of Zionism in Daily Life,” StandWithUs Saidoff Legal, available at <https://www.flipsnack.com/59DEA577C6F/evidence-of-zionism-cover/full-view.html?p=1&td=Ym9va3NoZWxmOmNmMDEwMDV1bmY%3D>.

The anti-Zionist narrative seeks to erase this history by focusing on the establishment of the *modern* State of Israel, following World War II and United Nations Resolution 181, which proposed the establishment of both a Jewish state and an Arab state in the geographical area then known as the Palestine Mandate and overseen by Great Britain—a proposal accepted by the Jewish Agency but rejected by the Arab states, as have been all other proposals for a two-state solution since that time. The narrative falsely asserts that the establishment of this modern state was an act of land theft and attempts to re-define “Zionism” as simply a term of political support for the Israeli government, which the narrative falsely accuses of a host of evils, treating the world’s only Jewish state in precisely the same way that more classic forms of antisemitism treat the individual Jew.<sup>10</sup>

Because many people outside the Jewish community are unfamiliar with Jewish and Israeli history, including the term “Zion” and, hence, the history of the term “Zionism,” this dangerous narrative has been allowed to take firm root in academia. And in the wake of the horrific Hamas terrorist attack against Israel and its people on October 7, those peddling this anti-Zionist narrative have successfully persuaded droves of students, faculty, and administrators to believe the lie that Jews whose identity includes Zionism, which is to say most Jews, are proud supporters of the actions of which the narrative falsely accuses Israel. This form of manipulative propaganda attempts to erase the reality that a Jewish individual’s identification as a Zionist is actually a reflection of the deep ancestral connection of the Jewish people to the land of Israel, an expression of the peoplehood component that serves as a foundational element of Jewish identity. Hence, the many forms of harassment and discrimination toward Jewish members of the campus community that we continue to see are justified by perpetrators, and often misidentified by those in positions of authority, under the guise of mere expressions of political disagreement. A proper understanding of the term “Zionism,” however, reveals this campaign for what it is: an insidious attempt to erase 3,000+ years of Jewish history and a vicious attack against a core component of mainstream Jewish identity. In short, a textbook example of antisemitism, just adapted and repackaged for a contemporary audience.

Much of the anti-Jewish hatred reported in the media focuses on undergraduate institutions, but it is important to note that the antisemitism that has infected these campuses is an equally serious concern within our nation’s graduate schools, including, in particular, medical schools.<sup>11</sup> At

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<sup>10</sup> For a more thorough explanation of how antisemitism has “mutated” over time and today focuses largely on the state of Israel as a Jewish “collective,” see, *The Mutating Virus: Understanding Antisemitism*, THE OFFICE OF RABBI SACKS (Sept. 27, 2016), <https://rabbisacks.org/videos/mutating-virus-understanding-antisemitism/> and *The Mutation of Antisemitism*, THE OFFICE OF RABBI SACKS, <https://rabbisacks.org/videos/the-mutation-of-antisemitism/>.

<sup>11</sup> A study in *The Journal of Religion and Health* found that most (75.4%) Jewish-identifying medical students and professionals reported exposure to antisemitism. Schwartz, D.M., Leiba, R., Feldman, C.L. et al., *Social Media, Survey, and Medical Literature Data Reveal Escalating Antisemitism Within the United States Healthcare Community*, *J Relig Health* 64, 206–223 (2025), <https://doi.org/10.1007/s10943-024-02191-5>. See also, Michelson, K., Fishman, A., Feinberg, E., Ross, S., et al., *Antisemitism in American Healthcare: A Survey Study of Reported Experiences*, *J Gen Intern Med* (2024), available at [https://link.springer.com/epdf/10.1007/s11606-024-09159-x?sharing\\_token=1PTK9pTkK\\_HZLCb6TmYEave4RwlQNchNBYi7wbcMAY5nncMVfuml7xWZanLITB-i3iaO4PZpexeDOQYSievt9h3ehbLx6X-NGWbSk5RwmL3Wp7C4gHhwMzcQgwerbKKZVhR2CMmTiWiR\\_4X3ZbqYVX\\_2cYuMWOdxD4\\_1yMKuNUw%3D](https://link.springer.com/epdf/10.1007/s11606-024-09159-x?sharing_token=1PTK9pTkK_HZLCb6TmYEave4RwlQNchNBYi7wbcMAY5nncMVfuml7xWZanLITB-i3iaO4PZpexeDOQYSievt9h3ehbLx6X-NGWbSk5RwmL3Wp7C4gHhwMzcQgwerbKKZVhR2CMmTiWiR_4X3ZbqYVX_2cYuMWOdxD4_1yMKuNUw%3D).

Georgetown University Medical School, for example, students posted antisemitic content online, using tropes about Jewish control and targeting Jewish peers. Similar trends were observed at George Washington University.<sup>12</sup> Recent reports also highlight an alarming trend of antisemitism during medical school commencement ceremonies.<sup>13</sup> At Stanford Medical School, for example, a student wore a three-part stole and carried a large keffiyeh to the stage and unfurled it, revealing an antisemitic sign on its reverse side. Hostile demonstrations are also plaguing these schools. A New York Times article from June 2024 described the blatant anti-Zionist/anti-Jewish fervor at University Hospital in San Francisco, for example, where medical students and doctors at the prestigious medical school and teaching hospital could be heard shouting: “intifada, intifada, long live [the] intifada!”<sup>14</sup> The U.S. Department of Health and Human Services (HHS) is investigating four prominent medical schools—Harvard, Columbia, Brown, and Johns Hopkins—over allegations of recent antisemitic incidents. These include displays of offensive symbols, verbal protests, and expressions of support for terrorist organizations like Hamas.<sup>15</sup> The situation has escalated to the point that Jewish students are being advised to hide their identity during applications to our nation’s medical schools.<sup>16</sup>

There is an important tool, though, that can assist in greater understanding of how antisemitism manifests today, including anti-Zionist forms of antisemitism, which in turn helps ensure consistent identification and reporting of anti-Jewish bias and bigotry, as well as proper enforcement of policies aimed at responding to antisemitism: the International Holocaust Remembrance Alliance Working Definition of Antisemitism (“IHRA Definition”) and its contemporary examples of antisemitism. The international consensus definition of antisemitism, the IHRA Definition has been widely adopted around the world and is utilized by institutions and agencies spanning the spectrum of society, including the U.S. Department of Education’s Office for Civil Rights.<sup>17</sup> It enjoys broad support within the Jewish community as a tool that speaks to their real-world experiences of antisemitism, including both traditional and more contemporary forms of anti-Jewish bigotry and hatred. Contrary to the assertions of some, utilizing the IHRA Definition as an educational tool for understanding and identification is fully consistent with freedom of speech principles and is an effective means of ensuring that allegations of antisemitism receive proper review, investigation, and resolution.<sup>18</sup>

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<sup>12</sup> <https://www.timesofisrael.com/med-students-antisemitic-comments-after-oct-7-roil-two-prominent-dc-universities/>.

<sup>13</sup> A study of top U.S. medical schools found antisemitic symbols and messages displayed by students at over half these institutions during recent commencements, <https://nypost.com/2025/01/27/us-news/us-medical-schools-plagued-by-antisemitism-pro-terror-antics-at-graduations-study/>.

<sup>14</sup> <https://www.nytimes.com/2024/06/24/us/israel-hamas-war-sf-doctors.html>.

<sup>15</sup> <https://www.hhs.gov/about/news/2025/02/03/hhs-civil-rights-office-acts-swiftly-combat-anti-semitism.html>.

<sup>16</sup> Melissa Langsam Braunstein, *The Antisemitism Rooted in the US Healthcare System*, <https://www.jowma.org/in-the-news/the-antisemitism-rooted-in-the-us-healthcare-system> (Dec. 19, 2024).

<sup>17</sup> See, [https://www.ed.gov/sites/ed/files/about/offices/list/ocr/docs/qa-titleix-anti-semitism-20210119.pdf?utm\\_content=&utm\\_medium=email&utm\\_name=&utm\\_source=govdelivery&utm\\_term=](https://www.ed.gov/sites/ed/files/about/offices/list/ocr/docs/qa-titleix-anti-semitism-20210119.pdf?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=).

<sup>18</sup> For additional information about the IHRA Definition, including responses to common misconceptions and misinformation about the IHRA Definition, see *A Guide to Understanding & Adopting IHRA Working Definition of Antisemitism*, StandWithUs, available at <https://www.flipsnack.com/59DEA577C6F/guide-to-understand-ihra/full-view.html?p=1&td=Ym9va3NoZWxmOnpocGVtZmp6aG0%3D>.

There can be no legitimate dispute that campus antisemitism is a serious problem with lasting and dangerous effects, which requires a response that is likewise serious, lasting, and effective. While many aspects of education fall within the purview of the individual states, the federal government has the authority to attach conditions to educational institutions' receipt of federal taxpayer dollars, as it has done in many ways, including through Title VI of the Civil Rights Act of 1964 ("Title VI") and the Higher Education Act of 1965. Title VI prohibits recipients of federal funding from discriminating on the bases of race, color, or national origin (including shared ancestry). When a campus administration is on notice of events or circumstances with the potential to create a hostile environment that would deprive students of equal access to, or use and enjoyment of, campus activities, based on a protected characteristic under Title VI, the administration is legally obligated to investigate and to take the steps reasonably necessary to put an end to the hostility and remedy its effects. Full stop.

Importantly, the requirements of Title VI do not conflict with freedom of speech rights under the First Amendment. Even if public institutions are not legally permitted to silence or punish certain speech that creates or contributes to a hostile environment, that does not relieve them of their obligations under Title VI.<sup>19</sup> This is where it becomes appropriate, and at times entirely necessary, to implement—and properly enforce—reasonable, content-neutral time, place, and manner policies regarding expressive activity on campus to ensure equal protection of the rights of all students without disruption to the educational environment. In short, the campuses of educational institutions are not public streets or sidewalks, and students need not be permitted to engage in expressive activity on campus wherever they wish, whenever they wish, and in whatever manner they wish. Dr. Mark Goldfeder recently testified in greater length about the constitutional requirements—and the discretion of educational institutions—in this regard at a hearing before the United States House of Representatives Committee on the Judiciary's Subcommittee on the Constitution and Limited Government.<sup>20</sup> I commend his discussion of these issues to this committee and to others seeking a clear understanding of the interplay between freedom of speech principles and the campus context. At a minimum, however, campuses should have in place clear policies identifying where, when, and how students may (and may not) engage in expressive activity and outlining the consequences for violating such policies. They must then be held accountable for equal application and enforcement of those policies.

We are here today because the failure—or refusal—of too many administrators to accurately identify the hostile antisemitic environments on their campuses and take the necessary steps to remedy that hostility has resulted in the deprivation of the civil rights of Jewish students

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<sup>19</sup> U.S. Dep't of Education, Office for Civil Rights, *Dear Colleague Letter*, May 7, 2024, p. 3, available at <https://www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-202405-shared-ancestry.pdf?source=email> (last visited Mar. 24, 2025) ("The fact that harassment may involve conduct that includes speech in a public setting or speech that is also motivated by political or religious beliefs, however, does not relieve a school of its obligation to respond under Title VI as described below, if the harassment creates a hostile environment in school for a student or students.").

<sup>20</sup> <https://www.congress.gov/118/meeting/house/117305/witnesses/HHRG-118-JU10-Wstate-GoldfederM-20240515-U7.pdf>, pp. 6-8 (explaining that the *Tinker* standard – allowing schools to restrict speech that will “materially and substantially interfere” with the “requirements of appropriate discipline in the operation of the school” or that “invad[es] the rights of others” – is the correct standard for application in the campus context and citing additional sources in support).

nationwide. Worse still, federal courts asked to preside over Title VI complaints by these students have applied the legal standard for these claims in an inconsistent manner,<sup>21</sup> and when students seek assistance through the submission of federal administrative Title VI complaints, they are often subjected to a lengthy waiting period, many times so long that the directly impacted students graduate before the resolution of their complaints.<sup>22</sup> The problems related to antisemitism on U.S. campuses have risen to a level such that Congress must now take decisive action to effect meaningful improvement.

I would like to take this opportunity to suggest three such actions:

First, and easiest, Congress should pass two important pieces of pending legislation: (1) the Antisemitism Awareness Act, which would codify the requirement that the Department of Education consider the IHRA Definition in reviewing and investigating potential violations of Title VI based on an individual's actual or perceived shared Jewish ancestry or Jewish ethnic characteristics; and (2) the Protecting Students on Campus Act, which, among other things, would require institutions of higher education participating in federal student aid programs to share certain information about Title VI in prominent campus locations, including on their websites, and to share data about their receipt and handling of Title VI complaints with the Department of Education on an annual basis. The bill would also require the Department of Education's Office for Civil Rights (OCR) to provide Congress with regular updates about its handling of Title VI complaints, including the length of time complaints remain open after OCR's receipt.

Second, Title IX, prohibiting gender-based discrimination, requires educational institutions to designate a Title IX coordinator, who is tasked with overseeing the institution's efforts to carry out its responsibilities under that law.<sup>23</sup> Title VI should include a similar requirement, such that each institution of higher education receiving federal funds, including medical schools, must employ a Title VI coordinator who is qualified and experienced in investigating and educating about the types of discrimination covered by Title VI, including specifically the shared ancestry component of national origin. Such individuals should be required to undergo relevant training regarding Title VI and its proper application (including specifically about the relationship between Zionism and Jewish identity) at least semi-annually and should likewise be required to provide such training to (1) relevant campus stakeholders on at least a semi-annual basis and (2) students within the context of the institution's regular anti-bias educational programming. To ensure that these offices do not themselves become politicized in the execution of their responsibilities, the Department of Education's Title VI regulations should be updated to provide appropriate guidance regarding the operations of such offices and the qualifications of those

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<sup>21</sup> Cf., e.g., *Kestenbaum v. Pres. & Fellows of Harvard College*, Civ. No. 1:24-cv-10092 (D. Mass. Aug. 6, 2024) with *StandWithUs Ctr. for Legal Justice v. Mass. Inst. of Tech.*, Civ. No. 1:24-cv-10577 (D. Mass. Jul. 30, 2024).

<sup>22</sup> 34 C.F.R. § 106.8. See also, <https://www.ed.gov/about/news/press-release/us-department-of-education-office-civil-rights-launches-initiative-address-backlog-of-biden-administration-era-complaints-alleging-antisemitism>.

<sup>23</sup> <https://www.ed.gov/laws-and-policy/civil-rights-laws/frequently-asked-questions-sex-discrimination#:~:text=Is%20there%20someone%20at%20my,Security%20Data%20Analysis%20Cutting%20Tool> (confirming that “[a]ll school districts, colleges, and universities receiving federal financial assistance must designate at least one employee to coordinate their efforts to comply with and carry out their responsibilities under Title IX”).

staffing them. The first opportunity—and responsibility—to rectify hostile environments that implicate Title VI falls to the funding recipient (here, the educational institution). To best ensure this can happen, and decrease the burden on the federal government, institutions should be required to employ professional staff qualified for the task.

Finally, for institutions seeking to voluntarily resolve administrative Title VI complaints involving disruptive expressive activity on campus, or for institutions as to which the federal government identifies Title VI compliance concerns related to disruptive expressive activity on campus, such institutions' continued receipt of federal funding should be conditioned, in a manner consistent with federal constitutional principles, upon the institutions' clear communication to their campus communities of the times, places, and manners in which expressive activity is / is not permitted on their campuses, including clear identification of the consequences for violations of such policies. Congress should also consider heightened consequences under Title VI for institutions found, in the course of a federal Title VI investigation, to have failed properly to enforce such policies to known violations, resulting in the creation or exacerbation of a pervasively hostile educational environment based on race, color, or national origin.

The integral components of individuals' identities, including their religious, ancestral, and ethnic identities, should never be weaponized, for political purposes or otherwise. Yet, that is precisely what has happened to the Jewish community, and it is time for people of good faith to stop fighting *each other*, unify around the reality that antisemitism is causing real harm to real human beings, and begin fighting *together* against all forms of anti-Jewish hate and hostility.

As we have seen throughout history, antisemitism does not harm only the Jewish community; like a cancer, it infects the whole of society.<sup>24</sup> This is not an isolated issue impacting only one group, and it is not an issue that we as a nation can afford to ignore in any of its insidious forms. Antisemitism presents a significant and troubling problem on our campuses that must be identified for what it is—without confusing matters by insisting on addressing it only in tandem with other forms of bias and bigotry. We must finally be willing to acknowledge that the discrimination and harassment targeting students on campus *because of an aspect of their Jewishness* comes from individuals on both sides of the political aisle. This is not a matter of left or right but one of wrong and right. I implore every member of this committee to be willing to take the necessary actions to stand against all forms of attack against the Jewish community, regardless of their source, no less than you would for any other targeted minority community.

Thank you for the opportunity to testify today. I look forward to the efforts of this committee and the full Congress to address this serious problem in a substantive and meaningful way. I and my organization, StandWithUs, welcome the opportunity to work alongside you all in those efforts, and I welcome any questions regarding my testimony.

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<sup>24</sup> See, e.g., DENNIS PRAGER & JOSEPH TELUSHKIN, WHY THE JEWS? THE REASON FOR ANTISEMITISM, THE MOST ACCURATE PREDICTOR OF HUMAN EVIL, (2003); see also Goldfeder Testimony, *supra* n.7 at pp. 1-2, f 7 (collecting sources).