

Report of the Resources Committee
December 2014

On November 19, 2014, President Eisgruber received a petition signed by 71 tenured faculty members calling on the University to “divest from all companies that contribute to or profit from the Israeli occupation of the West Bank until the State of Israel complies with UN Resolution 242, ends its military occupation of the West Bank and lifts its siege of Gaza.” President Eisgruber referred the petition to the Resources Committee.

A few days later, on November 25, President Eisgruber received a petition from more than 450 students “reject(ing) efforts – such as boycott, divestment, and sanctions campaigns – that aim to demonize or assign absolute blame to either Israelis or Palestinians as they are counterproductive and drive the parties further away from compromise.” That petition was referred to the Resources Committee.

And, on December 4, 2014, President Eisgruber received a letter signed by the officers of the Center for Jewish Life and more than 425 faculty, parents and alumni opposing the original divestment petition and noting that “advocating divestment of the kind endorsed by the petition is a way of singling out Israel as if it were a unilateral actor able to choose its path without any risks or pressures,” and concluding that “...it would be wrong for the University to take divestment action of the kind urged by the petition.” President Eisgruber shared that letter with the Resources Committee.

On November 21, the Resources Committee met and discussed the divestment petition. The committee considered the divestment recommendation in the context of the Resources Committee guidelines. After considerable discussion, the committee responded to the petition organizers on December 1, 2014.

In its response, the committee noted that the Trustees of the University have adopted a set of guidelines that govern the Resources Committee’s consideration of investment-driven social responsibility issues and outline a protocol for considering proposals for divestment.

The guidelines begin with a “strong presumption against the University taking a political position or playing an active role with respect to external issues of a political, social or moral character” and go on to establish a series of tests that are applied to those circumstances where the University may wish to disassociate from a company or companies by refusing to own its securities or accept its gifts or grants: 1) Is the underlying issue of significant importance in terms of considerable and continuing campus interest? 2) Is there a central University value clearly at stake? 3) Is it possible to develop a collective position that reflects this value and

relates to corporate action in a fair and consistent manner? 4) Does the particular action or position of the company conflict with the central values of the University?

With regard to the first test, the committee is directed to “consider the magnitude, scope, and representativeness of the expressions of campus opinion” in making its determination. While the committee was aware of campus concerns about the situation in Israel and the occupied territories and was aware of vigorous discussion in recent weeks about proposals regarding possible divestment, it did not appear that the discussion about divestment meets the standard of “sustained campus interest,” which requires the issue to be “raised several times over an extended period of time.”

Recognizing that the “sustained campus interest” test might be met over time, the committee reviewed the petition in the context of a further test that would then need to be met, a determination of whether the University community might reach “a consensus on how the University should respond to the situation.” Based on its knowledge of on-going discussions, and the wide variety of viewpoints represented in those discussions, it seemed clear to the committee that no consensus exists at this time. Indeed, the receipt of the student petition and the faculty/alumni/parent letter support this judgment.

The committee concluded that, in and of itself, the petition does not meet the tests outlined in its guidelines and therefore the committee is not prepared to consider divestment at this time. The University’s guidelines suggest that there may be other steps “that are consistent with the fundamental character of the University as an academic institutions, and that can merit broad support throughout the University” to address issues of concern, and the committee urged the petitioners to consider such actions, which might include the development of courses; involvement in lectures, panels and other public discussions; and research and scholarship on these issues.

The Resources Committee offered the petition organizers an opportunity to meet with the committee and scheduling of that meeting is underway.