

R. Wes Hayes, Jr.
Chairman

L. Jeffrey Perez, Ph.D.
President and Executive Director



MEMORANDUM

To: SC Public Colleges and Universities
From: Dr. L. Jeffrey Perez, President and Executive Director
Date: September 19, 2024
Subject: Proviso 11.19, Prohibition of Discriminatory Practices

In the State Appropriations Bill for FY 2024-2025, the Governor and General Assembly included Proviso 11.19 to the Commission on Higher Education's section of the budget bill. This proviso directs CHE to "print and distribute to all South Carolina public colleges and universities the definition of anti-Semitism." Proviso 11.19 also requires colleges and universities to consider the definition of anti-Semitism "for purposes of determining whether an alleged practice was motivated by anti-Semitic intent when reviewing, investigating, or deciding whether there has been a violation of a college or university policy prohibiting discriminatory practices on the basis of religion." As required, I have enclosed a copy of Proviso 11.19 for your review and consideration.

Please do not hesitate to contact me should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. Jeffrey Perez".

L. Jeffrey Perez, Ph.D.
President and Executive Director

Enclosure: Proviso 11.19



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H. 4300 (Rat#102 Act #84 of 2024)
General Appropriations for FY 2024-25
Part 1B Proviso
Section 11 – H030 - Commission on Higher Education

11.19. (CHE: Prohibition of Discriminatory Practices) (A) In the current fiscal year and from the funds appropriated to the Commission on Higher Education, the commission shall print and distribute to all South Carolina public colleges and universities the definition of anti-Semitism.

(B) For purposes of this proviso, the term “definition of anti-Semitism” includes:

- (1) a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities;
- (2) calling for, aiding, or justifying the killing or harming of Jews;
- (3) making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a collective;
- (4) accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, the state of Israel, or even for acts committed by non-Jews;
- (5) accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust;
- (6) accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interest of their own nations;
- (7) using the symbols and images associated with classic anti-Semitism to characterize Israel or Israelis;
- (8) drawing comparisons of contemporary Israeli policy to that of the Nazis;
- (9) blaming Israel for all inter-religious or political tensions;

(10) applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation;

(11) multilateral organizations focusing on Israel only for peace or human rights investigations; and

(12) denying the Jewish people their right to self-determination, and denying Israel the right to exist, provided, however, that criticism of Israel similar to that leveled against any other country cannot be regarded as anti-Semitic.

(C) South Carolina public colleges and universities shall take into consideration the definition of anti-Semitism for purposes of determining whether the alleged practice was motivated by anti-Semitic intent when reviewing, investigating, or deciding whether there has been a violation of a college or university policy prohibiting discriminatory practices on the basis of religion.

(D) Nothing in this proviso may be construed to diminish or infringe upon any right protected under the First Amendment to the Constitution of the United States or Section 2, Article I of the South Carolina Constitution, 1895.