

M. Elizabeth Magill  
President  
University of Pennsylvania  
College Hall  
Philadelphia, PA 19104

CC: Board of Trustees

Dear Liz,

As we have shared with you when you met with a subset of the Wharton Board of Advisors (the “Board,” formerly the Board of Overseers) last week (November 28, 2023), our Board has been, and remains, deeply concerned about the dangerous and toxic culture on our campus that has been led by a select group of students and faculty and has been permitted by University leadership. As confirmed in your congressional testimony yesterday, the leadership of the University does not share the values of our Board. Nor does it appear to understand the urgency to address the safety of our students on campus and the ongoing reputational damage to the University by the University’s policies and actions.

Our Board has held an unprecedented eight extraordinary sessions since our scheduled Wharton fall meeting on November 16th, 2023. Each of these meetings was attended by a majority of the Board and the matters discussed at each session focused most pressingly on the safety of our students and community, as impacted by the current state of affairs at the University surrounding the terrorist attacks on Israel, the war in Gaza and the resulting antisemitic and hate-based behavior on the campus. As you know, long before the congressional hearing, the Board has felt so strongly about these issues that we drafted a set of Resolutions that we believed were essential and that should be promptly adopted by Wharton and the parent University of Pennsylvania regarding conduct on campus and leadership of the University (see attached.) We delivered these Resolutions to you more than two weeks ago. Our Resolutions directly addressed the issue, among other matters, that has now become clear to all: our University chooses to maintain policies that do not protect our students and our community.

We have purposely chosen to communicate with you directly and privately in order to be a constructive force and a partner to the University leadership in addressing these challenging issues. We have also recognized that certain of our recommendations would take time, while others would require significant efforts or require structural changes. We have further expressed our appreciation for the significant demands on your time and the increased

workload this crisis has placed on your entire administration. Nonetheless, we have consistently stated that the issues on campus required immediate attention.

In light of your testimony yesterday before Congress, we demand the University clarify its position regarding any call for harm to any group of people immediately, change any policies that allow such conduct with immediate effect, and discipline all offenders expeditiously.

Further, as a result of the University leadership's stated beliefs and collective failure to act, our Board respectfully suggests to you and the Board of Trustees that the University requires new leadership with immediate effect.

Our Board consists of a number of long-term committed members of the Penn community, all of whom have dedicated substantial time and resources to Penn since graduation. As a board that has been created by the University and tasked by the University with providing advice and counsel, we formally request that you and the Board of Trustees consider the safety of our students and the reputation of our great university and take these actions at tomorrow's Executive Committee of the Board of Trustees.

We would welcome direct engagement with the Board of Trustees on these matters.

Best regards,

Wharton Board of Advisors

## Appendix

### Wharton Board of Advisors Proposed Resolutions

Whereas the Wharton Board of Advisors convened on November 16, 2023, to discuss, among other things, the rise in anti-semitism on the University of Pennsylvania's campus, and was provided an initial review by the Wharton School of the significant safety issues experienced by students and members of the University community, as well as, the substantial damage to the University's well-earned reputation. We hereby recommend the following three resolutions:

#### Resolution 1

Because we are concerned for the safety and security of the students attending the Wharton School, we propose the following amendment to the Wharton Code of Conduct, and we recommend its adoption by both the Wharton School and the University of Pennsylvania.

#### Standards of Behavior

Students ( and Faculty/employees) will not celebrate or advocate for the murder, killing, genocide, or annihilation of any individual classmate or any group of individuals in our community.

Students ( and Faculty/employees) will not engage in hate speech, whether veiled or explicit, that incites violence.

Students ( and Faculty/employees) will not use language that threatens the physical safety of community members.

Students ( and Faculty/employees) who violate the above standards of behavior will be subject to immediate discipline.

#### Resolution 2

Because we believe that the reputation of the University and the Wharton School, specifically, has not been adequately protected, we urge the Board of Trustees of the University (the “Board of Trustees”) to uphold its fiduciary duties and take clear and decisive action to address the ongoing issues faced by the University.

#### Leadership and Governance

The leadership of the Board of Trustees must be immediately strengthened.

The Board of Trustee’s governance and oversight of the University must be examined and enhanced.

#### Resolution 3

##### Wharton Board Ongoing Review

The Wharton Board of Advisors will continue to review and monitor anti-semitism on campus and take proactive steps to make our campus safe and secure for the entire community.