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A MESSAGE FROM FIRE'S SENIOR VICE PRESIDENT FOR LEGAL AND PUBLIC ADVOCACY

• PHILADELPHIA, PENNSYLVANIA •

Spring may get the glory, but it's fall I look forward to most. Fall offers a welcome renewal: Campuses come alive, classes begin again, and the new academic year beckons. I've loved fall since I was a kid, back when September's arrival meant a new pencil case and fresh composition notebooks.

Amazingly enough, this fall marks my 12th year defending student and faculty rights for FIRE. It's been a true honor to work for such a principled, dynamic, and effective organization. There's no better feeling than helping students and faculty vindicate their rights, and I'm immensely proud of FIRE's many victories and for your help in making them possible. We want to continue to earn your generous support, so as the leaves begin to change color this year, we're better equipped than ever before to fight back against civil liberties violations at campuses nationwide.

To start, we're riding the momentum from the summer's big wins. Take the hard work of my colleagues in our Policy Reform department, who are already having an impressive 2018 with a quarter of the year still left on the clock. This summer, Keene State University, the University of New Hampshire, and the University of California, Los Angeles each earned "green light" ratings, bringing our total up to 42 nationwide. Another 45 institutions or faculty bodies have adopted or endorsed the "Chicago Statement" on campus speech.

We're positioning FIRE to continue leading the charge for meaningful due process protections on campus. This summer, FIRE was proud to promote Samantha Harris to vice president for procedural advocacy, where

"We want to make sure that when facing censorship, every student and faculty member knows to contact FIRE first."

WILL CREELEY, SENIOR VICE PRESIDENT FOR LEGAL AND PUBLIC ADVOCACY

she will analyze court rulings impacting student and faculty procedural rights, develop training for attorneys who want to help students facing serious charges, and continue her work ranking the procedural protections — or the lack thereof — offered by schools



WILL CREELEY

nationwide. This is an exciting new position, and with more than a decade of experience defending students and faculty for FIRE, we know Samantha's just right for the job.

We're working hard on the ground, too. FIRE has expanded our efforts to reach students and educate them about their rights. Our staffers will be speaking on campuses and in state capitals across the country throughout the semester, logging plenty of miles in the process. FIRE veterans Molly Nocheck and Susan Kruth are hard at work helping students launch new Student Defenders organizations, and FIRE newcomer Rebecca Johnson, who joined our staff this summer, will be coordinating our outreach efforts. We want to make sure that when facing censorship, every student and faculty member knows to contact FIRE first.

By the time this arrives in your mailbox, my colleagues and I will doubtlessly have more victories to report. As the semester progresses, I urge you to track our successes on our newly-redesigned website, which we're excited to launch very soon. In the meantime, enjoy your fall, and know that with your support, FIRE is working hard to win the fight for free speech on campus. 🍂

Sincerely,

Will Creeley
Senior Vice President of Legal and Public Advocacy



BACK ROW: LACHLAN MERSKY, HENRY SPIRO, IAN DUKE, BENJAMIN LEE, RAHUL TRUTER
FRONT ROW: CAITLIN QUINN, EMMA VAHEY, JANE COOK, MIRANDA CROSS

FIRE wants to thank our 2018 interns for all their hard work this summer.

GOOD LUCK BACK ON CAMPUS!



RUTGERS PRESIDENT ORDERS REVIEW OF RULING AGAINST PROFESSOR FOR FACEBOOK POSTS ABOUT GENTRIFICATION

• NEW BRUNSWICK, NEW JERSEY •

After pushback from FIRE, Rutgers University President Robert Barchi asked university officials on Aug. 29 to reconsider their decision that a white history professor violated university policy when he said he hates white people on social media. The tenured professor was found guilty of discrimination and harassment in late July for two sarcastic Facebook posts he wrote about gentrification in Harlem, the New York City neighborhood where he lives. The posts sparked outrage on social media and led to threats against the professor.

After Rutgers rejected Professor James Livingston's appeal of the finding against him, FIRE wrote Rutgers administrators in August to demand that the public institution reverse the finding and protect faculty members' constitutional right to speak as private citizens on matters of public concern. FIRE also alerted members of the media, leading to stories in the Washington Post, Fox News, POLITICO, on local TV, and elsewhere.

"By capitulating to anonymous outrage generated by an internet mob, Rutgers has shamefully betrayed its obligation to its faculty and the public, trivialized actual harassment, and signaled to would-be censors nationwide that its faculty may be silenced at will and without resistance," wrote FIRE Director of Litigation Marieke Tuthill Beck-Coon in FIRE's letter to the university.



RUTGERS UNIVERSITY, CREDIT: TOMWSULZER - WIKICOMMONS

Livingston's predicament began May 31, during a visit to a Harlem restaurant. In a post to his personal Facebook account, Livingston expressed frustration with what he perceived to be growing gentrification in the neighborhood. He wrote, "OK, officially, I now hate white people. I am a white people, for God's sake, but can we keep them—us—us out of my neighborhood?" He went on to write that the restaurant was "overrun with little Caucasian assholes" and said, "I hereby resign from my race."

Facebook subsequently alerted Livingston that his post violated its policy on "hate speech," prompting him to write another post stating, "I just don't want little Caucasians overrunning my life ... remand them to the suburbs, where they and their parents can colonize every restaurant."

"Rutgers has shamefully betrayed its obligation to its faculty and the public."

MARIEKE TUTHILL BECK-COON, FIRE DIRECTOR OF LITIGATION

On June 1, conservative website The Daily Caller reported on Livingston's posts. Similar coverage soon followed, and Livingston started receiving hate mail and death threats.

Following an investigation, Livingston was found guilty of violating the Policy Prohibiting Discrimination and Harassment for his posts, even though Rutgers has been unable to demonstrate that any student

or colleague ever filed a complaint with Rutgers asserting Livingston engaged in discriminatory conduct.

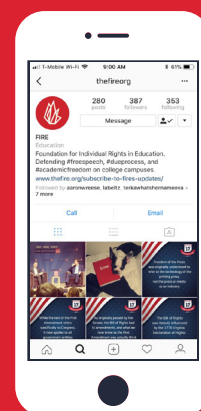
Rutgers denied Livingston's appeal on Aug. 10 — two days after it was submitted.

"I allowed FIRE to publicize this finding not simply on my own behalf, but because I believe the intellectual mission of Rutgers, a place to which I've devoted my career, is in peril, and being overridden for the sake of public relations," said Livingston. "Allowing human resource administrators to tell a professor of 30 years what he can and can't say on Facebook means that the tradition of academic freedom in our public universities is essentially over. I respect that tradition too much not to protest."

As of press time, Rutgers had not announced whether it will overturn Livingston's finding of guilt in light of Barchi's call for a review. 📢

**FIRE'S ON
INSTAGRAM!**

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COVER STORY

‘THE CODDLING OF THE AMERICAN MIND’ HITS BOOKSTORES TO RAVE REVIEWS

• WASHINGTON, D.C. •

After months of anticipation, “The Coddling of The American Mind: How Good Intentions and Bad Ideas Are Setting Up a Generation for Failure” finally hit bookstores on Sept. 4.

Co-authored by FIRE President and CEO Greg Lukianoff and New York University Professor Jonathan Haidt, “The Coddling of the American Mind” is a social science detective story that seeks to explain what has gone wrong on college campuses in the last few years and its consequences for a whole generation of young people.

The collaboration between Lukianoff and Haidt started in 2014 as a new free speech dynamic began emerging on college campuses. While students had long been the strongest supporters of free speech on campus, Lukianoff was noticing more student demands for censorship in the form of campus disinvitation attempts, heckler’s vetoes, and calls for mandatory trigger warnings and microaggression reporting protocols. And the justifications for censorship were shifting, too. They were more often “medicalized” as students saw the potential for words to cause trauma — even sometimes equating their use with violence.

In August 2015, Lukianoff and Haidt published a groundbreaking cover story for The Atlantic exploring these new justifications for censorship on campus and the effect they could have on students. They found that rather than protecting students’ mental and emotional well-being, a culture devoted to scrubbing campuses clean of certain words, ideas, and subjects was producing thought patterns eerily similar to those identified by cognitive behavioral therapists as causes of depression and anxiety. In short, campus

culture may be teaching students to think pathologically.

Since their 2015 article, the situation on campus has further deteriorated: A wave of student protests in the fall of 2015 often included demands for new speech codes; the 2016 election saw rising levels of political polarization; in 2017, violence was used to shut down speakers on a number of campuses; and along the way, rates of anxiety, depression, and self-harm among young people has skyrocketed.

How did we get here? That’s the question Lukianoff and Haidt seek to answer in “The Coddling of the American Mind.” Their story takes us everywhere from the schoolyard playground to the new world of social media and — yes — back to college campuses.

What the authors find are three terrible ideas that have become increasingly woven into American childhood and education — and to devastating effect. They call them “Great Untruths,” and they contradict core psychological principles about well-being and ancient wisdom from many cultures: *what doesn’t kill you makes you weaker; always trust your feelings; and life is a battle between good people and evil people.*

Embracing the Great Untruths — and the resulting culture of “safetyism” — interferes with young peoples’ social, emotional, and intellectual development. It makes it harder for them to become autonomous adults who are able to navigate the bumpy road of life.

“We argue that we’ve been unwittingly teaching a generation the mental habits of depressed, anxious, and polarized people, and therefore we shouldn’t be surprised if they end up depressed, anxious, and polarized,” said Lukianoff.

Even before its official release, early readers of the book gave it rave reviews, including former New York

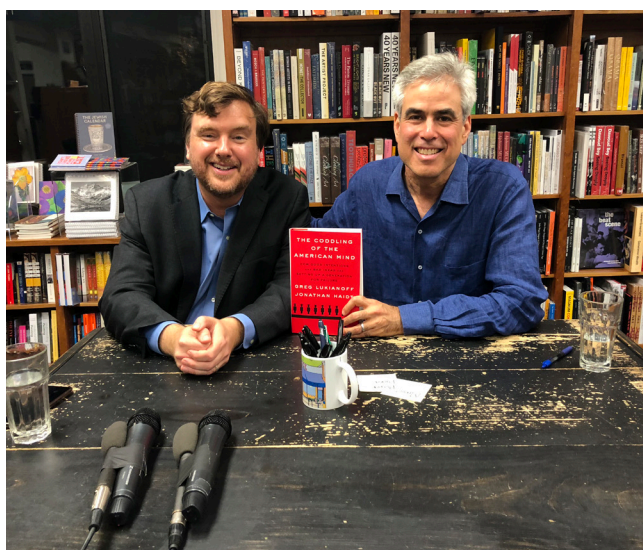


GREG LUKIANOFF AND MARTHA MACCALLUM, APPEARING ON FOX NEWS’ ‘THE STORY’ ON SEPT. 25



City Mayor Michael Bloomberg, Hayden Planetarium Director Neil deGrasse Tyson, and former President of the American Psychological Association Susan McDaniel.

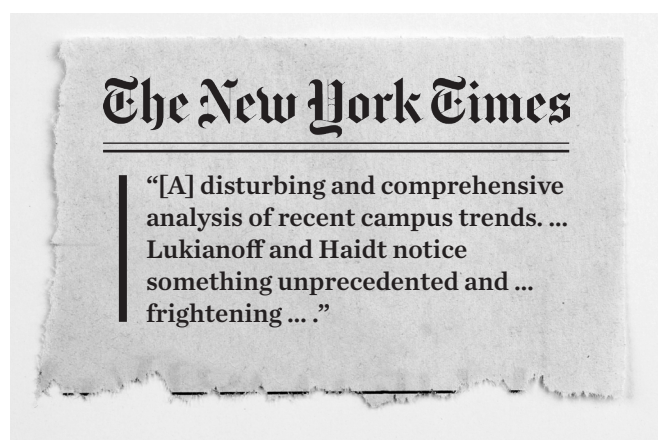
After its release, the book premiered at No. 8 on The New York Times' best sellers' list. The New York Times Book Review called it "[a] disturbing and comprehensive analysis of recent campus trends," and National Review said it "deserves to be widely read and discussed."



GREG LUKIANOFF AND JONATHAN HAIDT, AT POLITICS AND PROSE BOOKSTORE IN WASHINGTON, D.C.

Throughout much of the fall and into the winter, the authors have plans to speak with reporters and the general public about the book's themes. In the weeks after its release, they appeared on CNN's "Smerconish" and "Fareed Zakaria GPS," NPR's "Morning Edition," C-SPAN's "Book TV," and Fox News' "The Story" with Martha MacCullum.

For a list of Lukianoff and Haidt's upcoming public appearances — including an event with bestselling author Malcolm Gladwell on Jan. 16 in New York City at the 92nd Street Y — visit the book's website, TheCoddling.com. 🔥



REVIEWS

"Rising intolerance for opposing viewpoints is a challenge not only on college campuses but also in our national political discourse. The future of our democracy requires us to understand what's happening and why — so that we can find solutions and take action. Reading 'The Coddling of the American Mind' is a great place to start."

— **Michael Bloomberg**, founder of Bloomberg LP & Bloomberg Philanthropies, and 108th mayor of New York City

"Our behavior in society is not immune to the power of rational scientific analysis. Through that lens, prepare yourself for a candid look at the softening of America, and what we can do about it."

— **Neil deGrasse Tyson**, director, Hayden Planetarium, and author of "Astrophysics for People in a Hurry"

"Lukianoff and Haidt explain the phenomenon of 'helicopter parenting' and its dangers — how overprotection amplifies children's fears and makes them less likely to become adults who can manage their own lives. Children must be challenged and exposed to stressors — including different perspectives — in order to thrive."

— **Susan McDaniel**, University of Rochester, former president of the American Psychological Association

"The speed with which campus life has changed for the worse is one of the most important points made by Greg Lukianoff and Jonathan Haidt in this important if disturbing book."

— **The Times**, by Niall Ferguson

"No one is omniscient or infallible, so a willingness to evaluate new ideas is vital to understanding our world. Yet universities, which ought to be forums for open debate, are developing a reputation for dogmatism and intolerance. Haidt and Lukianoff, distinguished advocates of freedom of expression, offer a deep analysis of what's going wrong on campus, and how we can hold universities to their highest ideals."

— **Steven Pinker**, professor, Harvard University, and author of "Enlightenment Now"



‘GREEN LIGHT’ SCHOOL ARIZONA STATE UNIVERSITY EMBRACES CHICAGO STATEMENT, HIGHLIGHTING GROWING TREND

• TEMPE, ARIZONA •



ARIZONA STATE UNIVERSITY, CREDIT: BY WARS - WIKICOMMONS

Arizona State University, a longtime “green light” school, joins only three other institutions that have, in addition to earning FIRE’s highest rating for their speech codes, adopted a free speech policy statement modeled after the “Chicago Statement” — which FIRE has called the gold standard for free speech policy statements in higher education. In addition to ASU, Purdue University, Kansas State University, and Claremont McKenna College maintain no policies that threaten protected expression and also have actively committed to free expression by adopting a version of the statement.

“The very purpose of a university is to facilitate the free and open exchange of ideas that lead to the creation of new knowledge.”

MICHAEL CROW, ARIZONA STATE UNIVERSITY PRESIDENT

“The very purpose of a university is to facilitate the free and open exchange of ideas that lead to the creation of new knowledge, and the only way to fulfill that ideal is to create environments that support and protect the freedom of expression,” said ASU President Michael Crow. “ASU has a long-standing commitment to free speech and continues to identify ways in which our students, faculty and staff recognize this as a

core principle for the university.”

ASU, which earned a green light rating in 2011 for its speech-related policies, is part of an elite group of only 42 institutions in the entire country that earn FIRE’s highest

speech code rating. With its adoption of the Chicago Statement, it also becomes the 45th institution at which the administration or a faculty body has endorsed the free speech statement, and the 11th such college or university this year alone.

ASU’s new statement memorializes the university’s overriding commitment to

free expression, noting that the Chicago Statement is “fully consistent with ASU’s existing policies.” Borrowing from the Chicago Statement, it opens with a promise: “Because the University is committed to free and open inquiry in all matters, it guarantees all members of the University community the broadest possible latitude to speak, write, listen, challenge, and learn.”

This is part of an exciting trend that we hope will continue in the new academic year. The four colleges and universities named above now serve as models to follow for other schools seeking to improve their speech codes and affirm their commitment to free expression. 🔥



RECENT HEADLINES FROM ‘NEWSDESK’

- Southern New Hampshire University demands student groups give up social media passwords
- Two universities’ responses to cheerleader protests demonstrate need for principled student-athlete speech policies
- OCR’s use of overly broad anti-Semitism definition threatens student and faculty speech
- John McAdams returns to Marquette with upbeat attitude, no regrets



UCLA, KEENE STATE EARN FIRE'S TOP RATING FOR FREE SPEECH

• PHILADELPHIA, PENNSYLVANIA •

Over the summer, the University of California, Los Angeles and Keene State College both revised all of their speech policies that conflicted with the First Amendment to earn FIRE's highest rating for free speech. Only 42 institutions across the country currently earn a "green light" rating from FIRE.

UCLA earned its green light rating by clarifying several "yellow light" policies, which vaguely regulated student expression and invited administrative abuse. Among them, the university clarified two systemwide University of California policies — the "Principles of Community" and a "Campus Climate" policy — to ensure that the policies set forth "institutional aspirations and values" and will not be utilized to silence or punish protected speech. UCLA also narrowed the focus of a bias incident protocol and revised a sexual harassment policy that previously restricted language protected by the First Amendment.

In so doing, UCLA becomes the first member institution of the University of California system — as well as the first public school of any kind in California — to earn a green light rating for its speech-related policies.

"We hope UCLA will serve as an example to the other schools within the University of California system," said FIRE Vice President of Policy Reform Azhar Majeed. "With its policy changes, UCLA has demonstrated that it respects the freedom of expression of its students and faculty, and views campus discourse and debate as essential elements of a vibrant educational community."

Meanwhile, New Hampshire's Keene State College is the latest example of a school living up to the state's motto of "Live Free or Die." Today, three-quarters of rated institutions



UNIVERSITY OF CALIFORNIA, LOS ANGELES, BY ALTON - WIKICOMMONS

in New Hampshire have green light ratings. The University of New Hampshire earned the distinction in May, joining Plymouth State University. Dartmouth College is now the only Granite State institution in FIRE's Spotlight database to not earn the highest rating for free speech. Although Dartmouth maintains a red light rating, coverage of Keene State's improvements caused Dartmouth to announce it will update its IT policy, which would leave it just one yellow light policy away from its own green light rating.

"At a time when too many schools muzzle campus expression, students and professors at Keene State should be proud to know that their school is fighting for their rights, not against them," said Majeed. "With the

**Only 42 institutions
across the country
currently earn a "green
light" rating from FIRE.**

addition of Keene State, the state of New Hampshire is home to three green light schools and is quickly becoming a national leader in protecting student and faculty voices."

Working with FIRE's staff, Keene State revised five yellow light policies, including a computer and network use policy banning "political use" and a policy on "political, social, and commercial activities."

Most colleges and universities surveyed by FIRE maintain written policies that threaten

student and faculty speech. According to FIRE's Spotlight on Speech Codes 2018 report, about one third of institutions nationwide earn a red light rating, and almost 60 percent earn a yellow light rating, which is given to schools that maintain policies that chill or outright prohibit protected speech, albeit to a lesser degree than at a red light institution. 🔥

Universities that earned a green light rating in 2018:

- Auburn University — Alabama
- Claremont McKenna College — California
- University of New Hampshire — New Hampshire
- University of California, Los Angeles — California
- Keene State College — New Hampshire



UNIVERSITY OF NEW HAMPSHIRE
CREDIT: MILLIYARD800 - WIKICOMMONS

FIRE STUDENT CONFERENCES: A LOOK BACK AND WHAT'S TO COME

● PHILADELPHIA, PENNSYLVANIA ●

This summer, more than 100 students from across the country and the ideological spectrum joined forces in Philadelphia at the FIRE Student Network Summer Conference — a challenging and exciting weekend of workshops, networking, and collaboration with the nation's top campus free speech advocates.

Set at the National Constitution Center, students spent a jam-packed three days learning about their free speech and due process rights on campus. Ira Glasser, former executive director of the American Civil Liberties Union, kicked off the conference on Friday evening with a rousing speech about his history fighting for civil liberties with the ACLU and the continued need for principled free speech advocacy. Saturday closed out with a keynote by Jacob Mchangama, the founder and director of Danish think tank Justitia and host of the podcast Clear and Present Danger: A History of Free Speech.

From signing up for our fall 2018 activism toolkit “Commit to Expression,” to working with FIRE’s Policy Reform team to change speech codes, to inviting FIRE speakers to their campuses, attendees have been busy since the conference.

The conference fun doesn’t stop with our Summer Conference! FIRE is thrilled to announce that our second Student Defenders Conference will take place this year from Nov. 2–4 in Orlando, Fla.

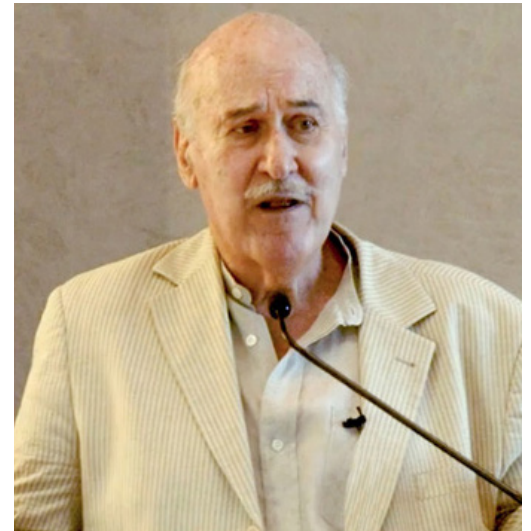
FIRE’s Student Defenders Conference is a two-day intensive workshop designed to educate college students about their due process rights on campus — and to provide students with the tools they need to assist others through the conduct process at their schools. This invitation-only

conference will empower students who have demonstrated a particular interest and ability in standing up for due process rights at their institutions.

This year’s conference will feature workshops led by established Student Defenders groups, such as a session led by students from the College of William and Mary’s Conduct and Honor Advisor Program on building relationships with administrators. Attendees will also hear from FIRE experts about procedural safeguards that help protect fairness in campus disciplinary procedures and how to ensure that those rights are upheld at their institutions.

FIRE launched Student Defenders to help students start groups dedicated to defending student rights on campus. These groups help educate fellow students on their rights and options, advocate for fair and clear policies and procedures, and advise students throughout

the university judicial process. By accompanying students in the university judicial system, Student Defenders act as watchdogs for due process violations and provide accountability for university administrators. 🔗



IRA GLASSER, PRESENTING AT THE 2018 SUMMER CONFERENCE



SUMMER CONFERENCE ATTENDEES