

WHAT STUDENTS THINK ABOUT

Expression, Association, and
Student Fees on Campus





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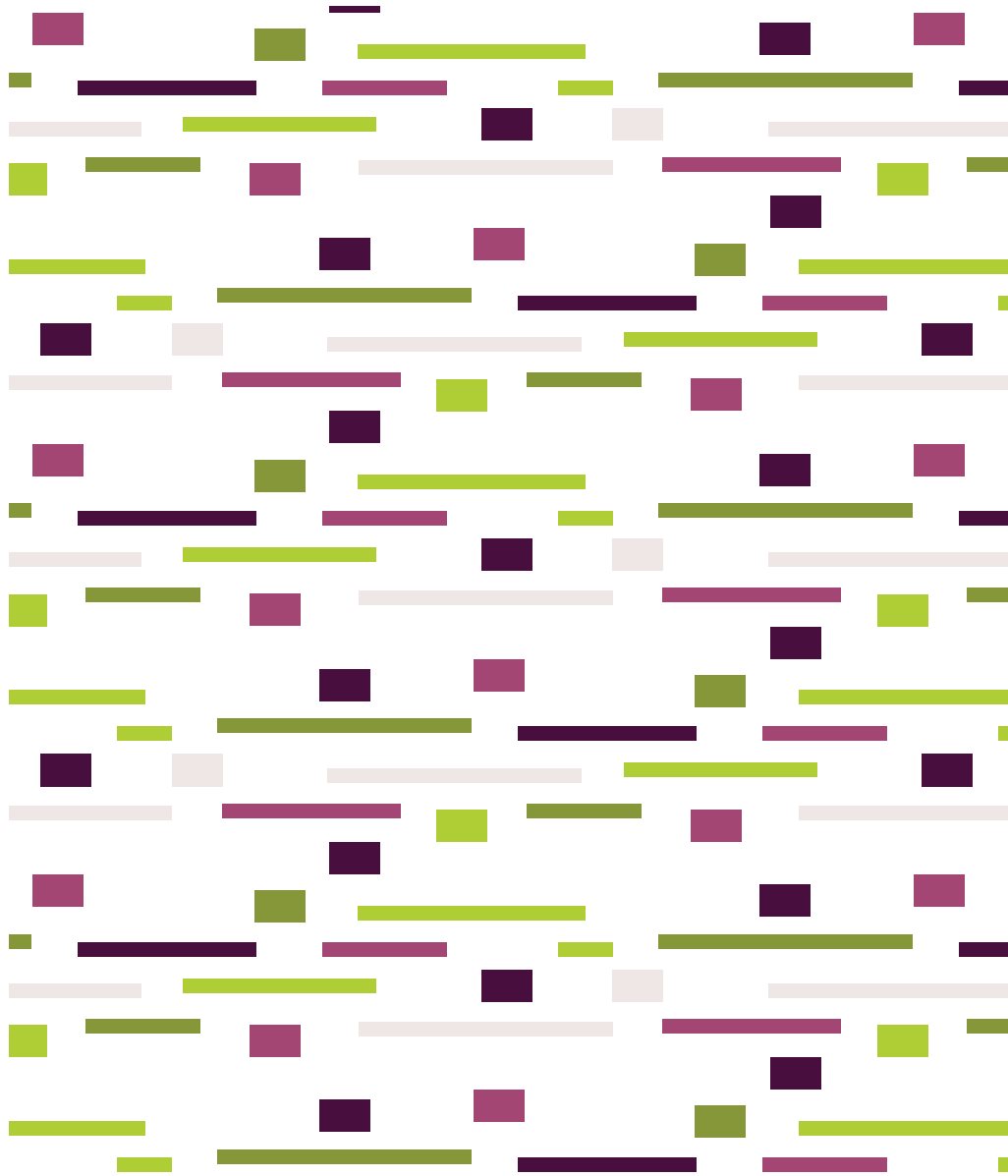


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EXECUTIVE SUMMARY

FOUNDATION FOR INDIVIDUAL RIGHTS IN EDUCATION



This is the Foundation for Individual Rights in Education's third and final survey as part of its two-year Speech, Outreach, Advocacy, and Research (SOAR) project. In this survey, we asked 2,225 American college students about a variety of issues relating to freedom of expression and association on their college campuses. The responses to this wide-ranging survey help us understand college students' opinions toward current civil liberties controversies on American campuses, and provide insight into how students' views toward freedom of speech, in particular, have changed over time.

Students strongly support protection of their rights and liberties — and of freedom of speech, in particular.

We find that students strongly support protection of their rights and liberties — and of freedom of speech, in particular — when asked questions about them in general terms. Almost all students (96 percent) think it is important that their civil rights or liberties are protected, and when asked which civil right or liberty is the most important to them, the largest proportion of students (30 percent) think that freedom of speech is the

most important civil right or liberty. In fact, most students (89 percent) think it is important that their college or university encourage students to have a public voice and share their ideas openly.

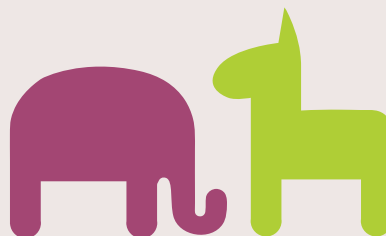
However, as previous surveys have found and as this survey confirms, when students are asked more specific questions about the limits of free speech or the content of speech, their support for the protection of speech declines. This occurs most notably when students are asked questions about expression that is *offensive or intolerant*. We believe this is why more than half of students (57 percent) think colleges and universities should be able to restrict student expression of political views that are hurtful or offensive to certain students.

These seemingly contradictory opinions are also reflected in students' attitudes toward student groups. When asked general questions about student groups and fees, a majority of students (73 percent) think student governments should distribute student activity fees to registered student groups on campus without regard to whether the student government agrees with the mission of the student group. But at the same time, a majority of students (70 percent) think students should be excluded from extracurricular activities if they

96% of students think it is important that their civil rights or liberties are protected.



57% of students think colleges should be able to restrict student expression of political views that seem hurtful or offensive.



publicly express *intolerant, hurtful, or offensive* viewpoints, and only half of students (51 percent) think groups with missions that certain students find intolerant, hurtful, or offensive should be able to register as student groups and receive student activity fees from student government.

These viewpoints are troubling from FIRE’s perspective. They suggest only a surface-level understanding of free expression and association protections that underlie the First Amendment and an unwillingness to see them applied to the protection of expression most often censored on campus.

FIRE also asked students general questions about core issues stemming from three contemporary campus controversies that affect their freedom of association rights: First, we asked about the restrictions Harvard University has imposed on students deemed to be involved in off-campus,

Students’ support for the protection of speech declines when they are asked more specific questions about its limits.

single-gender organizations; second, about “all-comers policies” that were highlighted in the U.S. Supreme Court case *Christian Legal Society v. Martinez* (2010); and finally, about the violent protests and counter-protests that took place in Charlottesville, Virginia, in August 2017.

FIRE asked students questions about core issues stemming from three contemporary campus controversies that affect their freedom of association rights.

Student opinion stands in stark opposition to Harvard University’s new policies that deny certain benefits to students who join off-campus, unrecognized sororities, fraternities, or other single-gender organizations. Three-quarters of students (75 percent) think students should be able to join single-gender groups not recognized by the university, and less than half of students (43 percent) think their college or university should be able to deny recognition to a single-gender student group.

Students seem to have mixed opinions in regard to “all-comers” policies, which require all registered student groups to allow any student to join the group as a voting member or leader, regardless of their belief in or commitment to the group’s mission or values. Although almost all students (95 percent) think membership in registered student groups on campus should be open to all students, a majority of students (64 percent) also think

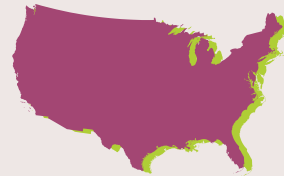
A substantial minority of students responded that Charlottesville changed how they think about campus speech or protest.

registered student groups on campus should be able to exclude students from their membership who don't agree with the mission of the student group. Even more students (73 percent) think registered student groups on campus should be able to deny leadership positions in the student group to students who don't agree with the mission of the group.

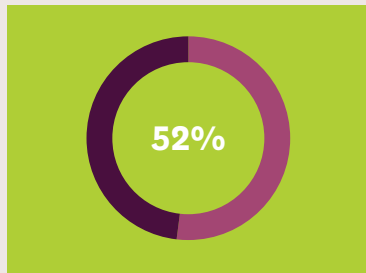
Finally, this survey was an opportunity for us to learn about how students think about free speech and protest on campus in the wake of the violent protests and counter-protests that took place near the University of Virginia in Charlottesville, Virginia, in August 2017. A substantial minority of students (35 percent) responded that this event changed how they think about campus speech or

protest. We also asked for students' opinions about who should be able to protest on their campus. While a majority of students supported the right of both sides to protest, 18 percentage points fewer think that white nationalists should be allowed to protest peacefully than the percentage of students who think counter-protesters should be able to protest peacefully (52 percent versus 71 percent).

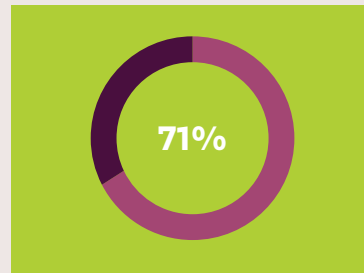
We asked 2,225 undergraduate students from 49 states and Washington, D.C. about their opinions toward civil liberties and expression.



A majority of students supported the right of both sides to protest.



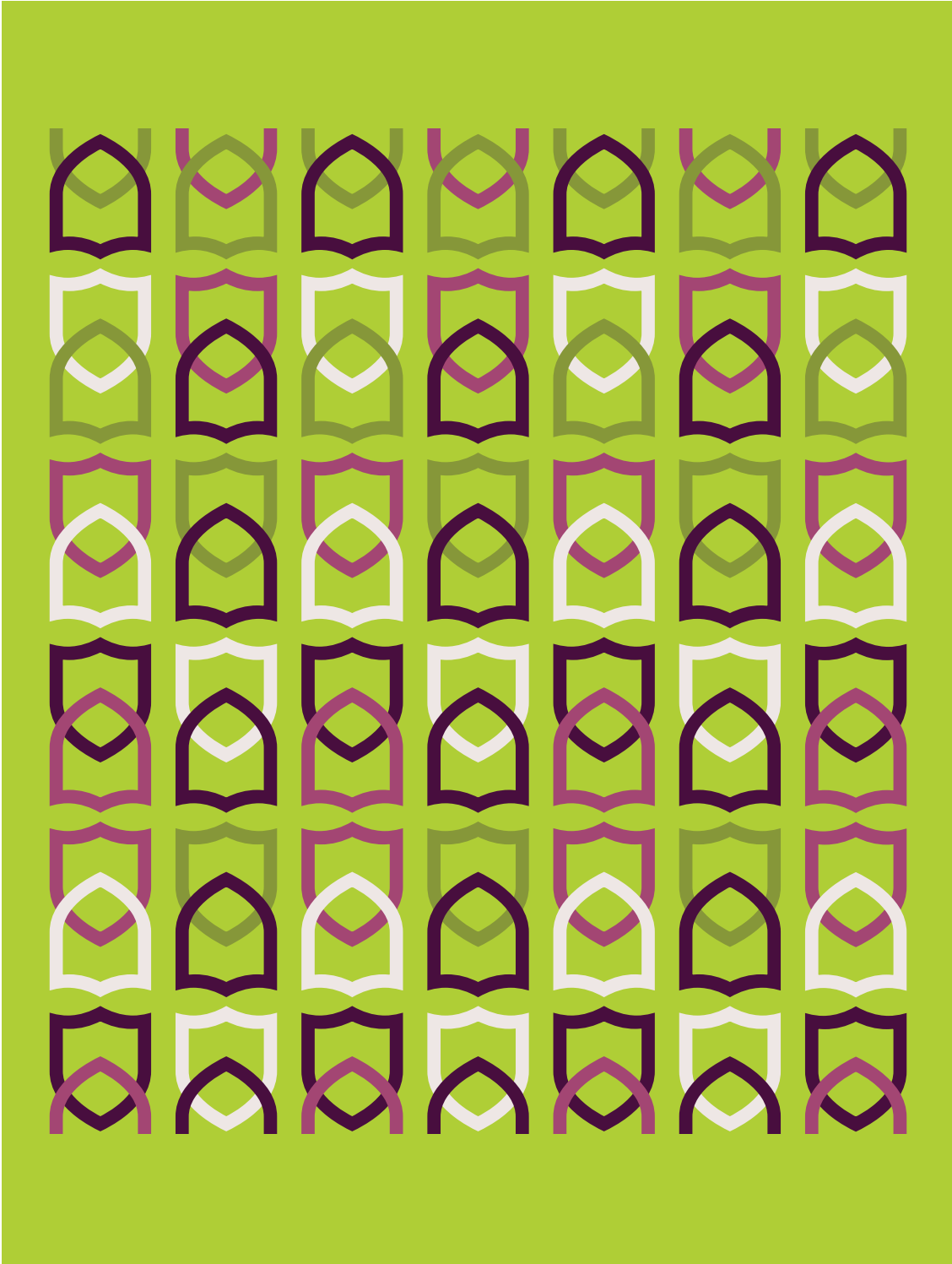
White nationalists should be allowed to protest peacefully.



Counter-protesters should be allowed to protest peacefully.

KEY FINDINGS

FOUNDATION FOR INDIVIDUAL RIGHTS IN EDUCATION



CIVIL RIGHTS AND LIBERTIES

Almost all students (96 percent) think it is important that their civil rights or liberties are protected.

When asked which civil right or liberty is the most important, the largest proportion of students (30 percent) think that freedom of speech is the most important civil right or liberty.

Both Democratic students (30 percent) and Republican students (28 percent) think that freedom of speech is the most important civil right or liberty.

EXPRESSION AND TOLERANCE

Most students (89 percent) think it is important that their college or university encourages students to have a public voice and share their ideas openly.

Three-quarters of students (75 percent) think students should have the right to free speech on campus, even if what is being said offends others. Despite this, we also find that:

- More than half of students (57 percent) think colleges and universities should be able to restrict student expression of political views that are hurtful or offensive to certain students.
- A majority of students (70 percent) think students should be excluded from extracurricular activities if they publicly express intolerant, hurtful, or offensive viewpoints.
- Sixty percent of students responded that promoting an inclusive environment that is welcoming to a diverse group of students should be a more important priority than protecting students' free speech rights, including hurtful or offensive speech.

70% of students think students should be excluded from extracurricular activities if they publicly express intolerant, hurtful, or offensive viewpoints.



More than half of students (55 percent) think the climate on their campus makes it difficult for students to have conversations about important issues such as race, politics, and gender.

Republican students are 14 percentage points more likely than their Democratic peers to think the climate on their campus makes it difficult for students to have conversations about important issues such as race, politics, and gender.

STUDENT GROUPS, STUDENT ACTIVITY FEES, AND CONTEMPORARY FREE ASSOCIATION ISSUES

A majority of students (64 percent) think registered student groups on campus should be able to exclude students from their membership who don't agree with the mission of the student group.

Almost three-quarters of students (73 percent) think registered student groups on campus should be able to deny leadership positions in the student group to students who don't agree with the mission of the group.

Seventy-three percent of students think student government should distribute student activity fees to registered student groups on campus without regard to whether the student government agrees with the mission of the student group.

Although 73 percent of students think student government should distribute student activity fees without regard to the mission of the student group:

- Half of students (51 percent) think groups with missions that certain students find *intolerant, hurtful, or offensive* should be able to register as student groups and receive student activity fees from student government.

Fifty percent of students think students who disagree with the mission of a registered student group should be able to join the group in order to change the group's mission.

A majority of students think registered student groups on campus should be able to exclude students from their membership who don't agree with the mission of the student group.

Three-quarters of students (75 percent) think students should be able to join single-gender groups not recognized by the university.

Fewer than half of students (43 percent) think their college or university should be able to deny recognition to a single-gender student group.

Thirty-four percent of students think their college or university should be able to punish students who join single-gender groups that are not recognized by the university.

75% of students think students should be able to join single-gender groups not recognized by the university.



43% of students think their college or university should be able to deny recognition to a single-gender student group.



CHARLOTTESVILLE

Sixty-seven percent of students remember reading or hearing news reports about a large protest that led to violence and fatalities in and around Charlottesville, Virginia, in August 2017.

One-third of students (35 percent) think the white nationalist protest and counter-protest in Charlottesville, Virginia in August 2017 changed how they think about speech and expression on campus.

Seventy-one percent of students think those protesting against white nationalists should be allowed to protest peacefully.

Fifty-two percent of students think white nationalists should be allowed to protest peacefully.

Figure 1. Support for civil liberties protections

It is important that my civil liberties are protected.

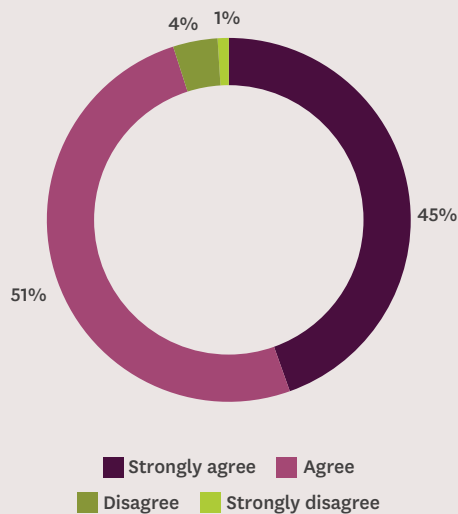
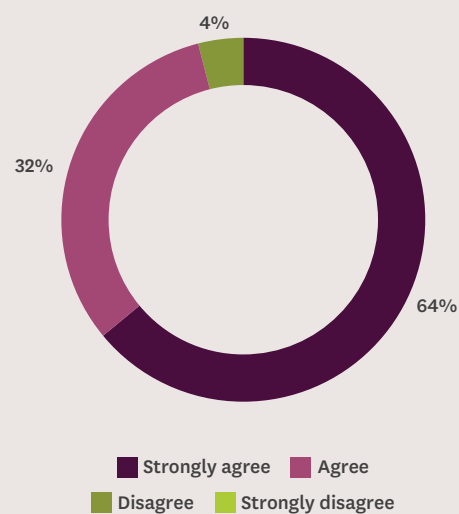


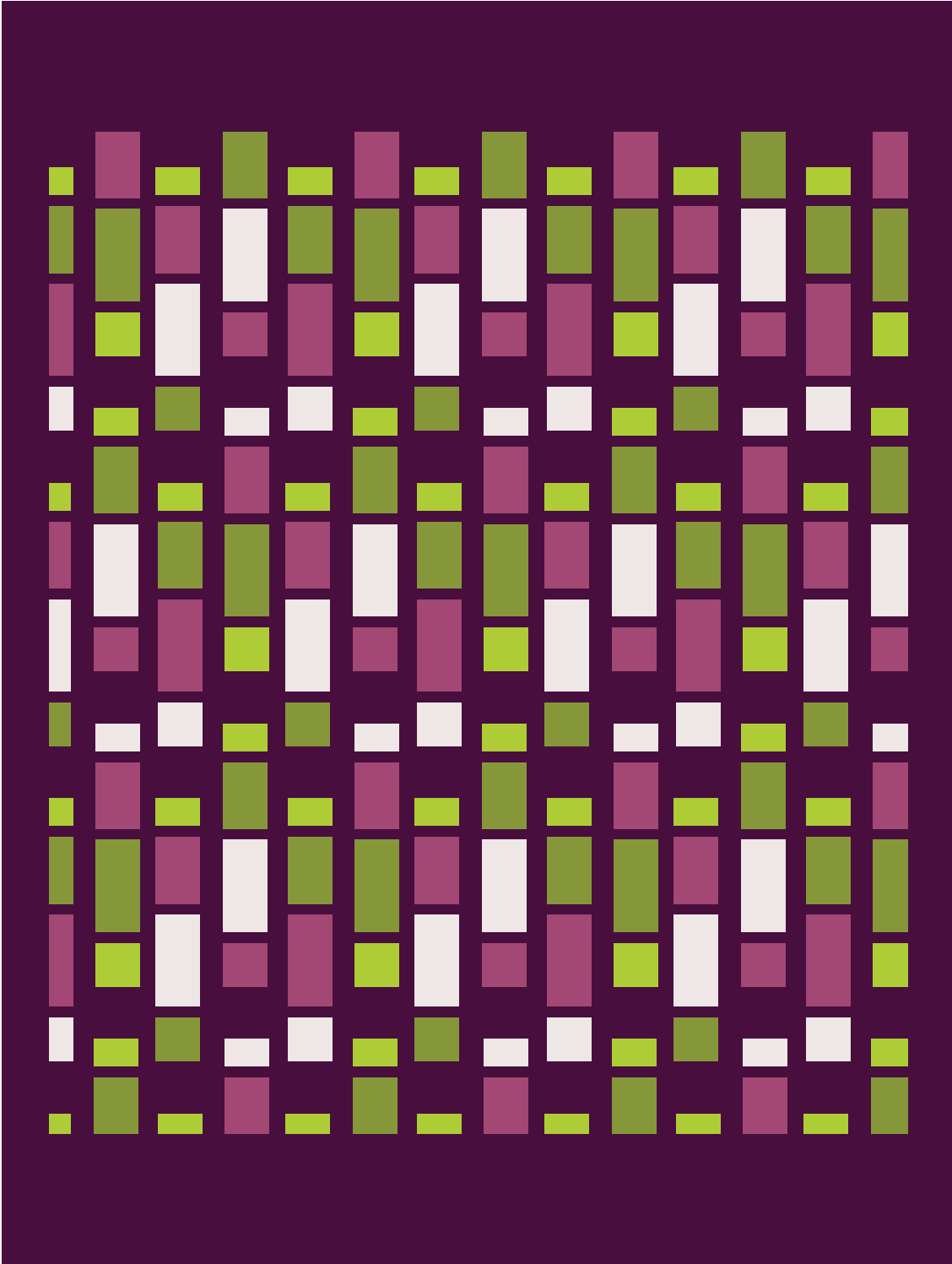
Figure 2. Support for civil rights protections

It is important that my civil rights are protected.



DETAILED RESULTS

FOUNDATION FOR INDIVIDUAL RIGHTS IN EDUCATION

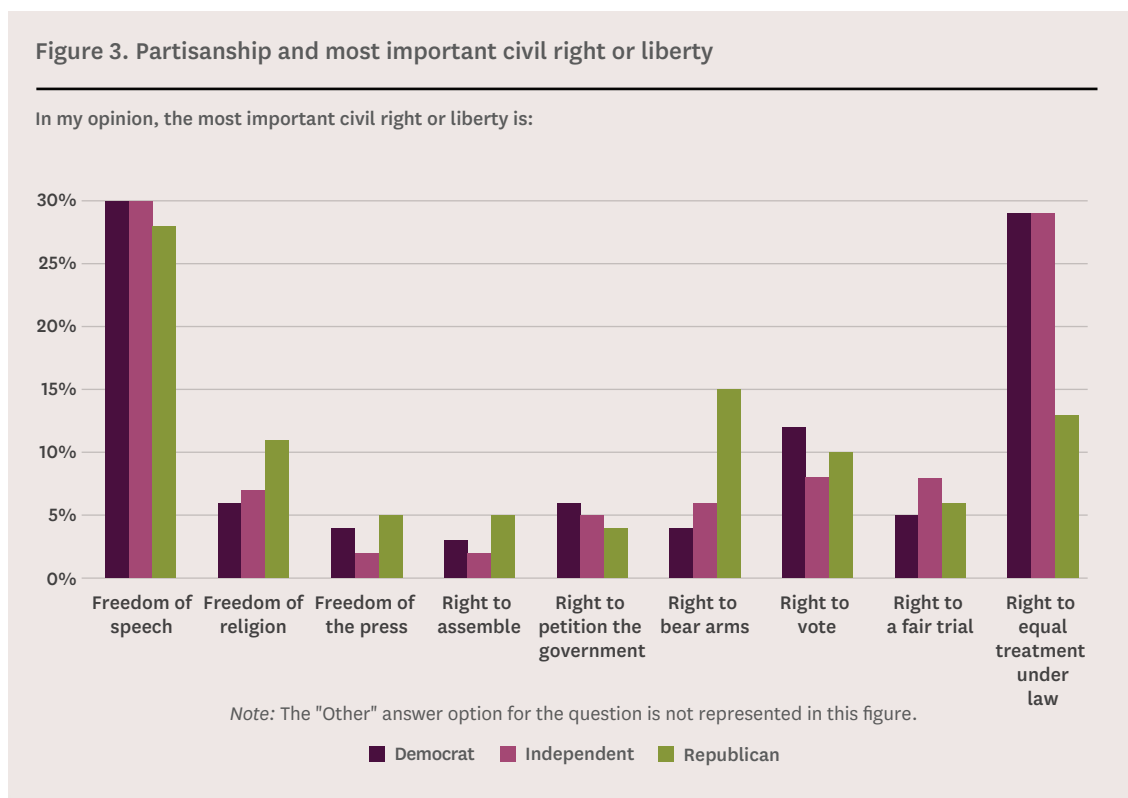


CIVIL RIGHTS AND LIBERTIES

Almost all students surveyed think the protection of civil rights and liberties is important — 96 percent of students strongly agree or agree that it is important that their civil rights or liberties are protected (fig. 1, fig. 2). Civil rights and liberties protections are important to students regardless of their demographic makeup. More than 93 percent of students in each racial, gender, partisan, and ideology category strongly agree or agree that it is important that their civil rights or liberties are protected.

Students differ in their opinion as to which civil right or liberty is the most important, though.¹ The largest proportion of students think that freedom of speech is the most important civil right or liberty (30 percent). Others think that the right to equal treatment under the law (26 percent) or the right to vote (10 percent) is the most important civil right or liberty.

Race and partisanship² affect which civil right or liberty students think is the most important. White students are six percentage points more likely than their Black peers to think freedom of speech is the most important civil right or liberty, whereas Black students are seven percentage points more likely than White students to think the right to equal treatment under the law is the most important civil right or liberty. Democratic students think that freedom of speech (30 percent), the right to equal treatment under the law (29 percent), and the right to vote (12 percent) are the most important civil rights or liberties. Republican students think that freedom of speech (28 percent), the right to bear arms (15 percent), the right to equal treatment under the law (13 percent), and freedom of religion (11 percent) are the most important civil rights or liberties (fig. 3).



¹Respondents were asked what the most important civil right or liberty is, in their opinion. Answer options were as follows: freedom of speech, freedom of religion, freedom of the press, right to assemble, right to petition the government, right to bear arms, right to vote, right to a fair trial, right to equal treatment under law, and other (please specify).

²This report uses two scales in analyzing student answers based on political or ideological differences: one scale for partisan identification and one scale for ideological identification. Each scale is based on self-identification, was provided by YouGov, and allowed respondents to choose a "not sure" option. The five-point ideological scale includes the following identifiers: very liberal, liberal, moderate, conservative, and very conservative. The three-point partisan scale includes the following identifiers: Democrat, Republican, and Independent.

EXPRESSION AND TOLERANCE

In addition to a large proportion of students thinking that freedom of speech is the most important civil right or liberty, even more students (75 percent) strongly agree or agree that students should have the right to free speech on campus, even if what they are saying offends others.

Eighty-nine percent of students strongly agree or agree that it is important that their college or university encourages students to have a public voice and share their ideas openly. This support is strong across all demographic categories — more than 84 percent of students in each racial, gender, partisan, and ideology category strongly agree or agree that their college or university should encourage students to have a public voice and share their ideas openly.

Eighty-nine percent of students strongly agree or agree that it is important that their college or university encourages students to have a public voice and share their ideas openly.

However, as evidenced in past surveys, although a majority of students think freedom of speech is important, their support for this freedom decreases when asked more specific questions about offensive or intolerant expression.³ Because of this, some statistics from the survey may seem to contradict each other, especially in regard to students' responses to questions that touch on the value of tolerance and the value of expression.

Fifty-seven percent of students strongly agree or agree that colleges and universities should be able to restrict student expression of political views that are hurtful or offensive to certain students. Race and partisanship affect what students

think about this issue. More Black students (69 percent) strongly agree or agree that colleges and universities should be able to restrict student expression of political views that are hurtful or offensive to certain students than White students (51 percent) — an 18 percentage point difference. Additionally, 63 percent of Democratic students and 51 percent of Republican students strongly agree or agree that colleges and universities should be able to restrict student expression of political views that are hurtful or offensive to certain students.

In line with these findings, a majority of students (70 percent) strongly agree or agree that students should be excluded from extracurricular activities if they publicly express intolerant, hurtful, or offensive viewpoints.

Students are more likely to prioritize inclusivity on their college campuses than values regarding expression. When asked which should be a more important priority for a college's administration, 60 percent of students responded that promoting an inclusive environment that is welcoming to a diverse group of students should be a more important priority than protecting students' free speech rights, including hurtful or offensive speech.

The observation that students prioritize the values of inclusivity and tolerance over other values, such as freedom of speech, has been reported in past surveys, and it appears that students' prioritization of tolerance over other values has remained consistent over time, as shown in

Students are more likely to prioritize inclusivity on their college campuses than values regarding expression.

³FIRE, *Speaking Freely: What Students Think about Expression at American Colleges*, October 2017, <https://www.thefire.org/publications/student-surveys/student-attitudes-free-speech-survey>. The Knight Foundation, *Free Speech on Campus*, April 2016, <https://knightfoundation.org/reports/free-speech-campus>.

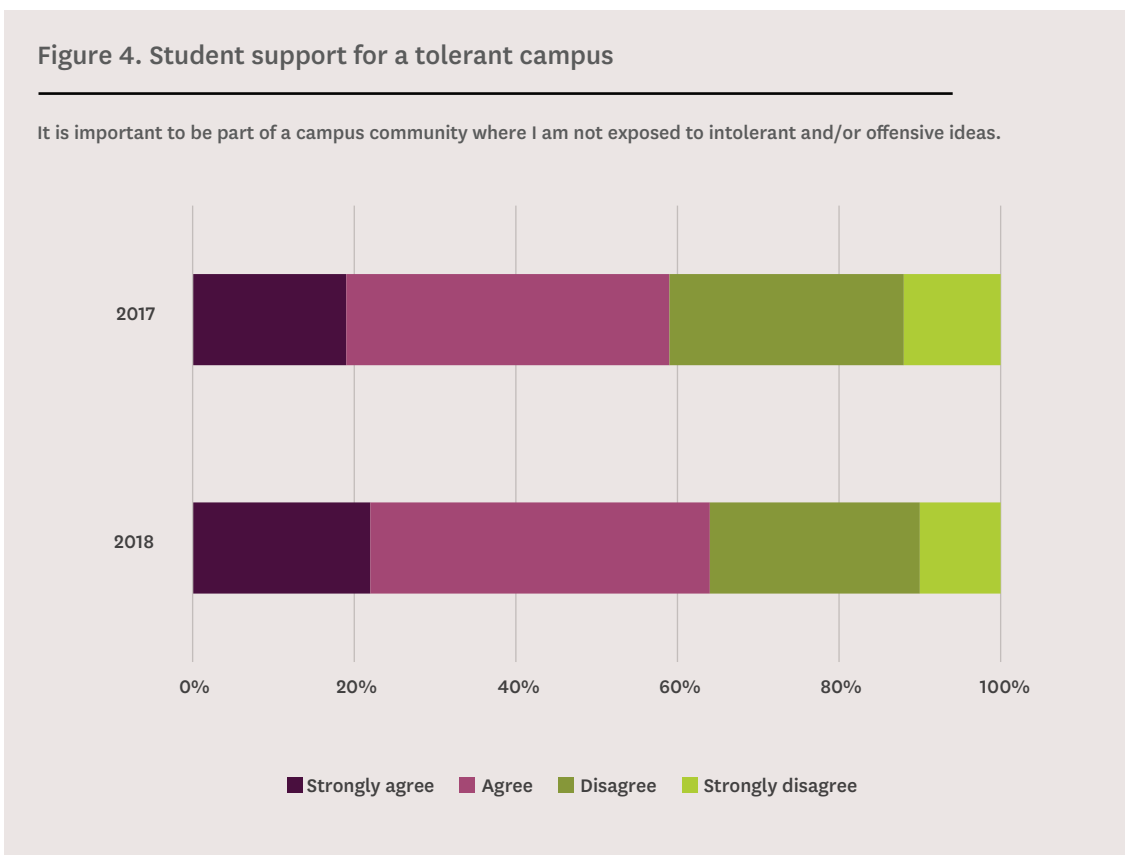


figure 4. In *Speaking Freely*, FIRE's 2017 report on college students' attitudes toward expression, we reported that, at the time, 58 percent of students strongly agreed or agreed that it is important to be part of a campus community where they are not exposed to intolerant and offensive ideas. A year later, when students were asked the same question in 2018, slightly more students (64 percent) strongly agree or agree that it is important to be part of a campus community where they are not exposed to intolerant or offensive ideas.

Republican students (65 percent) were more likely than their Democratic peers (51 percent) to strongly agree or agree that the climate on their campus makes it difficult for students to have conversations about important issues such as race, politics, and gender.

Finally, we find that a majority of students (55 percent) strongly agree or agree that the climate on their campus makes it difficult for students to have conversations about important issues such as race, politics, and gender. Republican students (65 percent) were more likely than their Democratic peers (51 percent) to strongly agree or agree that the climate on their campus makes it difficult for students to have conversations about important issues such as race, politics, and gender.

STUDENT GROUPS

Participating in extracurricular activities and joining student organizations are an important part of the college experience for many students. Almost all students (95 percent) strongly agree or agree that membership in registered student groups on campus should be open to all students.

Figure 5. Student attitudes toward excluding members or leaders who do not agree with the mission of a student group

Registered student groups on campus should be able to [exclude students from their membership | deny leadership positions] who don't agree with the mission of the student group.

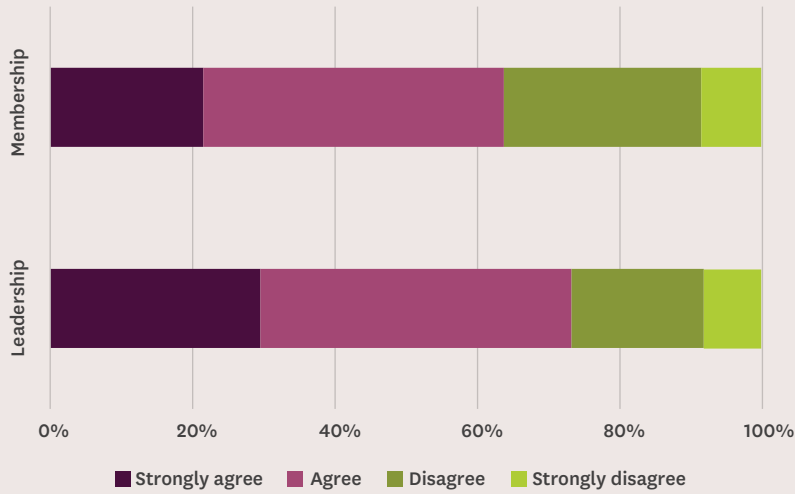
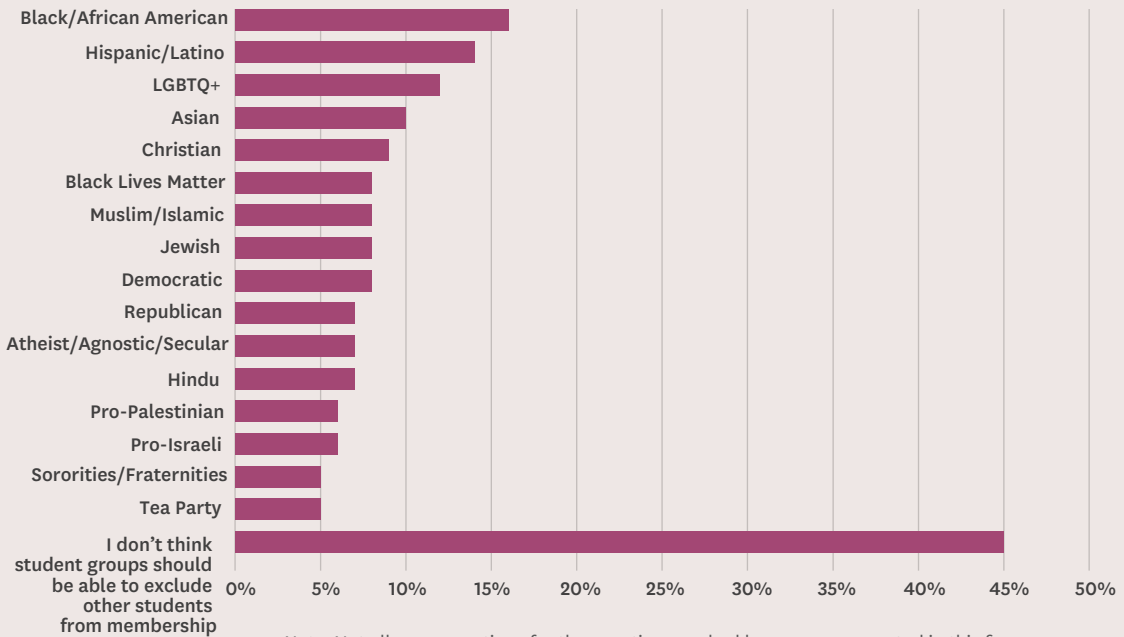


Figure 6. Types of groups students think should be able to exclude students

Percentage of students who think the following types of registered student groups should be able to exclude students from membership if the students don't agree with the mission of the group.



Note: Not all answer options for the question graphed here are represented in this figure. Students could select as many answers as applied.

However, as shown in figure 5, a majority of students (64 percent) also strongly agree or agree that registered student groups on campus should be able to exclude students from their membership who don't agree with the mission of the student group. Even more students (73 percent) strongly agree or agree that registered student groups on campus should be able to deny leadership positions in the student group to students who don't agree with the mission of the group.

A majority of students (64 percent) strongly agree or agree that registered student groups on campus should be able to exclude students from their membership who don't agree with the mission of the student group.

More specifically, when we provided students with a list of types of groups that may exclude students from membership, more students (16 percent) think that Black or African American student groups should be able to exclude students from membership than any other type of group. Fourteen percent of students think Hispanic or Latino student groups should be able to exclude students from membership, and 12 percent of students think LGBTQ+ student groups should be able to exclude students from membership (fig. 6).

Some of our findings regarding students' attitudes toward student groups are seemingly inconsistent. For example, although 95 percent of students strongly agree or agree that membership in registered student groups on campus should be open to all students, a majority of students also think that registered student groups on campus should be able to exclude students from their membership (64 percent) or leadership (73 percent) who don't agree with the mission of the student group. We believe this inconsistency is similar to the contradictions previously reported

in regard to students' civil rights or liberties, in which students report strong support for the principle of expression but are less supportive when asked about the implications of their support in more detail.

STUDENT ACTIVITY FEES

At most colleges and universities, students are charged a student activity fee that is then used to pay for events and fund registered student groups. A majority of students (58 percent) strongly agree or agree that student government should charge students a student activity fee that will be used to fund registered student groups and on-campus events. Additionally, consistent with the current law on the topic,⁴ a larger majority of students (73 percent) strongly agree or agree that student government should distribute student activity fees to registered student groups on campus without regard to whether the student government agrees with the mission of the student group.

Seventy-three percent strongly agree or agree that student government should distribute student activity fees to registered student groups on campus without regard to whether the student government agrees with the mission of the student group.

A majority of students (69 percent) strongly agree or agree that students should be able to choose which registered student groups their student activity fee funds or does not fund, and 79 percent of students strongly agree or agree that students should be able to "opt out" of a student activity fee if they do not want to fund registered student groups and on-campus events. More than half of students (58 percent) strongly agree or agree that if students choose to "opt out" of the student activity fee they should still be able to participate

⁴See *Rosenberger v. Rectors of the Univ. of Va.*, 515 U.S. 819 (1995) (holding the University of Virginia violated the free speech rights of the student journalists producing a Christian campus newspaper when it denied that paper funding because of its "religious" views); *Bd. of Regents of the Univ. of Wis. v. Southworth*, 529 U.S. 217 (2000) (holding that the First Amendment permits a public university to charge its students an activity fee that facilitates extracurricular student speech if the program is viewpoint neutral). These cases establish the principle that a state university or college must distribute funds collected by mandatory student fees in a viewpoint neutral manner. See also *FIRE's Guide to Student Fees, Funding, and Legal Equality on Campus*, available at <https://www.thefire.org/first-amendment-library/special-collections/fire-guides/fires-guide-to-student-fees-funding-and-legal-equality-on-campus/fires-guide-to-student-fees-funding-and-legal-equality-on-campus-full-text>.

in registered student groups and on-campus events.

As discussed above, students provide what appear to be contradictory responses to questions that touch on the values of tolerance and expression, and it has been observed that students value tolerance over expression in surveys conducted since 2016. Accordingly, in line with other opinions students hold about intolerant viewpoints — for example, our finding that a majority of students (70 percent) strongly agree or agree that students should be excluded from extracurricular activities if they publicly express intolerant, hurtful, or offensive viewpoints — students are averse to groups with missions that are, in their opinion, intolerant or offensive on their campuses.

Students provide what appear to be contradictory responses to questions that touch on the values of tolerance and expression, and it has been observed that students value tolerance over expression in surveys conducted since 2016.

To find out what students think about student groups with missions that may be perceived as intolerant, hurtful, or offensive, we asked two questions that, in hindsight, could have been more clearly worded. We intended to ask the questions in order to understand students' separate views toward groups registering as a student group with the university in the first place and then also toward groups receiving student activity fees, if the group is already registered. First, 51 percent of students strongly agreed or agreed that groups with missions that certain students find intolerant, hurtful, or offensive should be able to register as student groups and receive student activity fees from student government.⁵ Later

in the survey, 65 percent of students strongly agreed or agreed that student government should not distribute student activity fees to registered groups with missions that certain students find intolerant, hurtful, or offensive.⁶

Due to the wording, we believe students may have interpreted these questions as asking the same or extremely similar inquiries. If that is the case, the “should not” wording in the second formulation of the question may have confused the respondents, which could explain the 14 percentage point difference. Alternatively, it is possible that some or all of the respondents noticed the differences in the questions that we hoped to achieve when writing them. Due to this discrepancy, we provide both statistics and allow our readers to analyze the responses for themselves. We hope scholars and advocacy groups will continue to research these topics.

CONTEMPORARY FREE ASSOCIATION ISSUES

Some recent cases and controversies at American colleges have centered around students' free association rights on campus.⁷ Accordingly, after asking students what they thought about student groups and student activity fees in general, we asked the students what they thought about some of the issues raised by these campus free association controversies. Specifically, we asked students what they think about “all-comers policies” and bans on single-gender organizations at colleges and universities.

In the 2010 Supreme Court of the United States case of *Christian Legal Society v. Martinez*,⁸ the Court ruled that public schools may institute all-comers policies, meaning policies that require all registered student groups to allow any student to join the group as a voting member or leader, regardless of their commitment to the

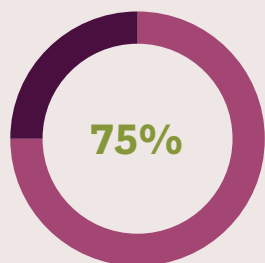
⁵ This statistic refers to responses to Q7 in the Survey Questionnaire found at the end of this report.

⁶ This statistic refers to responses to Q16 in the Survey Questionnaire found at the end of this report.

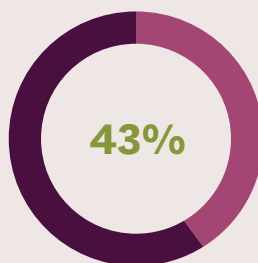
⁷ Ryne Weiss, *Freedom of association officially dead at Harvard*, FIRE (March 8, 2018), <https://www.thefire.org/freedom-of-association-officially-dead-at-harvard>, and the Supreme Court of the United States case *Christian Legal Society v. Martinez*, 561 U.S. 661 (2010).

⁸ See *Christian Legal Society v. Martinez*, 561 U.S. 661 (2010).

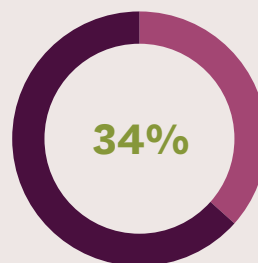
Student attitudes toward single-gender groups.



Students should be able to join single-gender groups not recognized by the university.



Schools should be able to deny recognition to a single-gender student group.



Schools should be able to punish students who join single-gender groups that are not recognized by the university.

group's mission or values. It is FIRE's position that all-comers policies violate the principle of free association, which is protected under the First Amendment.⁹ If all-comers policies are implemented, students who do not profess the beliefs of the organization can become members or leaders, thereby weakening the message of the organization. In fact, students may be able to join the organization with the intention of changing the organization's mission.¹⁰

As previously stated, 64 percent of students strongly agree or agree that registered student groups on campus should be able to exclude students from their membership who don't agree with the mission of the student group, and 73 percent of students strongly agree or agree that registered student groups on campus should be able to deny leadership positions in the student group to students who don't agree with the mission of the group.

However, students are evenly split in regard to their thoughts on whether students should be able to join an organization in order to change its mission — 50 percent of students strongly agree or agree that students who disagree with the mission of a registered student group should be able to join the group in order to change the group's mission.

Another recent issue that affects students' free association rights involves bans on single-gender organizations. Both the University of Rochester and Harvard University have instituted bans or restrictions on students joining single-gender organizations, and other universities have placed bans on single-gender organizations in the past.¹¹ At the University of Rochester, recognized, on-campus single-gender organizations have been banned. At Harvard University, student members of unrecognized, off-campus organizations, including sororities and fraternities, have been told that if they remain members of these

⁹ Brief of Amici Curiae FIRE and Student for Liberty in Support of Petitioner, *Christian Legal Society v. Martinez*, 561 U.S. 661 (2010), available at <https://www.thefire.org/fire-amicus-brief-in-christian-legal-society-v-martinez-february-4-2010> (discussing freedom of association issues with all-comers policies); FIRE, *'Christian Legal Society v. Martinez': Frequently Asked Questions* (August 30, 2010).

¹⁰ In-depth commentary regarding *Christian Legal Society v. Martinez* can be found at <https://www.thefire.org/christian-legal-society-v-martinez-frequently-asked-questions>.

¹¹ Ryne Weiss, *University of Rochester may subject single gender organizations to arbitrary waiver process*, FIRE (April 17, 2018), <https://www.thefire.org/university-of-rochester-may-subject-single-gender-organizations-to-arbitrary-waiver-process/>; Ryne Weiss, *Freedom of association officially dead at Harvard*, FIRE (March 8, 2018), <https://www.thefire.org/freedom-of-association-officially-dead-at-harvard/>; Hannah Natanson and Derek G. Xiao, *Banned?*, *The Crimson* (September 21, 2017), <https://www.thecrimson.com/article/2017/9/21/banned-scrutiny>.

organizations, they will lose eligibility for certain privileges, such as to be leaders of registered student groups or sports teams, to receive university recommendation for the Rhodes and Marshall scholarships, or to receive post-graduate fellowships at Harvard.

These bans stand in stark contrast to the opinions that college students have about single-gender organizations. Three-quarters of students (75 percent) strongly agree or agree that students should be able to join single-gender groups not recognized by the university, and less than half of students (43 percent) strongly agree or agree that their college or university should be able to deny recognition to a single-gender student group.

Additionally, fewer than half of students (34 percent) strongly agree or agree that their college or university should be able to punish students who join single-gender groups that are not recognized by the university.

CHARLOTTESVILLE

Finally, we used this survey as an opportunity to find out what American students remember about the white nationalist protest, counter-protest, and subsequent violence in Charlottesville, Virginia, in August 2017, and how this event may have shaped their views toward expression and protest.

About one-third of students (35 percent) responded that Charlottesville changed how they think about speech and expression on campus.

To provide some background, in August 2017, a group of white nationalists gathered in Charlottesville, Virginia, to protest the removal of a Robert E. Lee statue from a public park. A group of counter-protesters also demonstrated. During

the protests, an individual drove a car into a group of the counter-protesters, killing a woman. The protests quickly became national news and were called “domestic terrorism” by then-Attorney General Jeff Sessions.¹²

Students’ opinions on whether individuals should be able to engage in peaceful protest depends on who is protesting.

Sixty-seven percent of students remember reading or hearing news reports about a large protest that led to violence and fatalities in and around Charlottesville, Virginia, in August 2017. We recognized while drafting the survey that a large portion of respondents might not remember these events. Accordingly, after asking students if they remembered the protest and violence, we presented them with the following text:

You may recall that in August 2017, a white nationalist protest and counter-protest took place in Charlottesville, Virginia. During the protests, someone drove a car into the counter-protesters, resulting in a woman’s death. Two police officers also died that day, and more than thirty people were wounded.

Of the students who reported remembering the protest and counter-protest in Charlottesville, a majority characterized their perception of the event as “violent” (64 percent), or “racist” (53 percent). More than one-third characterized their perception as “hate speech” (44 percent), or “protest” (40 percent).¹³ Twenty percentage points more Democratic students (51 percent) than Republican students (32 percent) characterized their perception of the event as “hate speech.”¹⁴

In the weeks following the violent protests in Charlottesville, it was uncertain how, or if, the events would affect the climate for expression and

¹² Maggie Astor, Christina Caron, and Daniel Victor, *A Guide to the Charlottesville Aftermath*, The New York Times (August 13, 2017), <https://www.nytimes.com/2017/08/13/us/charlottesville-virginia-overview.html>.

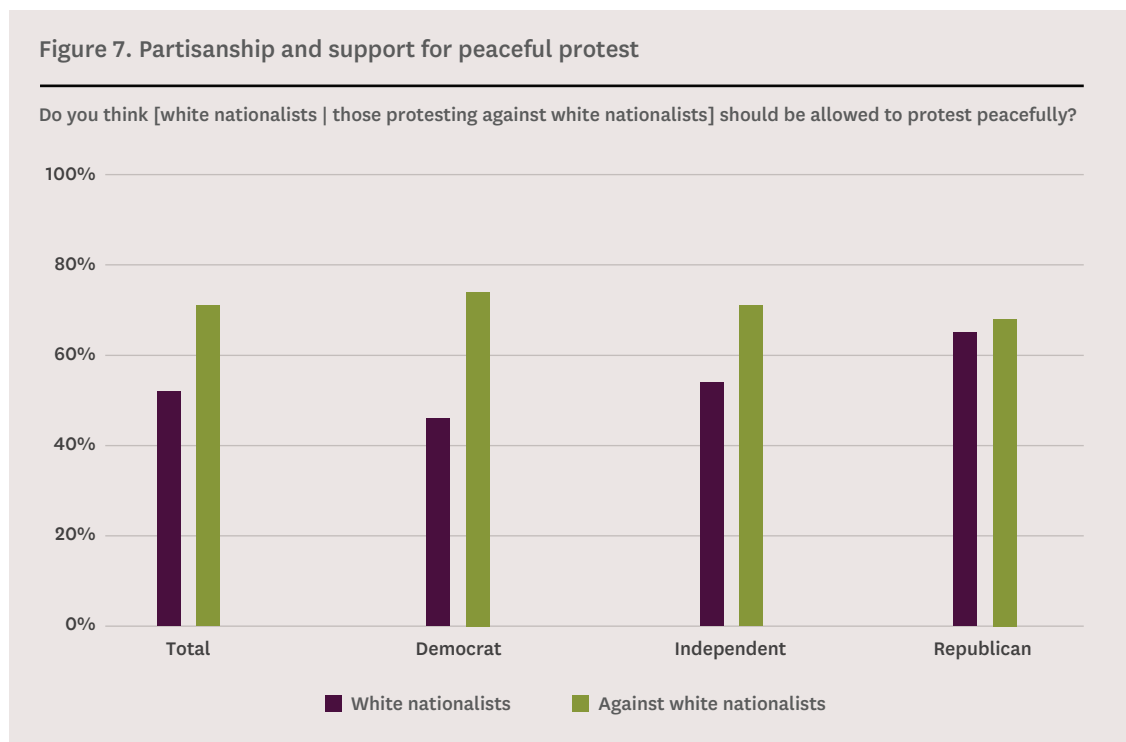
¹³ We asked students, “When you think back to [the protest and counter-protest], which of the following best characterize(s) your perception of the event?” Students were able to check all of the following answer options that applied: protest, hate speech, free speech, violent, unlawful, racist, and/or police failure. As noted in the report text, we tabulated responses for this question only from the 1,517 students who reported remembering the event in Charlottesville. Accordingly, the margin of error for these statistics will be larger than for the statistics reported from responses of the entire sample of 2,225 students.

¹⁴ The Supreme Court of the United States has not provided a legal definition of hate speech and has consistently rejected any hate speech exceptions to the First Amendment. *See, e.g., Matal v. Tam*, 137 S. Ct. 1744, 1764 (2017); *Snyder v. Phelps*, 562 U.S. 443, 461 (2011); *R.A.V. v. St. Paul*, 505 U.S. 377, 393 (1992).

protest on American campuses, as Charlottesville is home to the University of Virginia and some of the white nationalist protests took place on its campus. Politicians and commentators were concerned that the events in Charlottesville would be an impetus for decreasing free speech protections on college campuses.¹⁵

To our knowledge, no surveys were conducted in the wake of the event asking students if the violent events changed their views on campus expression and protest. A year later, we asked students if the event changed how they think about speech, expression, and protest on campus. About one-third of students (35 percent) responded that the event did change how they think about speech and expression on campus. However, about half of students responded that the event did not change how they think about speech and expression (48 percent) or protest (50 percent) on campus.

It is clear that students' opinions on whether individuals should be able to engage in peaceful protest depends on who is protesting, as shown in figure 7. While nearly 71 percent of students think those protesting against white nationalists should be allowed to protest peacefully, 18 percentage points fewer students think white nationalists should be allowed to protest peacefully (more than 52 percent).¹⁶ A student's partisanship is an important indicator of whether they think white nationalists should be allowed to protest peacefully. A majority of students of each partisan identity think those protesting against white nationalists should be allowed to protest peacefully (74 percent of Democrats; 71 percent of Independents; 68 percent of Republicans). However, more Republican students (65 percent) think white nationalists should be allowed to protest peacefully than Independent (54 percent) or Democratic students (46 percent).



¹⁵ Sophie Quinton, *Charlottesville May Put the Brakes on Campus Free Speech Laws*, PEW (August 24, 2017), <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2017/08/24/charlottesville-may-put-the-brakes-on-campus-free-speech-laws>.

¹⁶ We did not specify in these questions whether the white nationalist and counter protests would occur on campus. However, the questions came at the end of a survey asking students to focus on campus issues. Therefore, it is possible that some students may have assumed the question was specific to protests on campus, but we cannot be sure.

METHODOLOGY

FOUNDATION FOR INDIVIDUAL RIGHTS IN EDUCATION



FIRE contracted with YouGov, a nonpartisan polling and research firm, to conduct a national online survey of 2,225 undergraduate students who currently attend a two- or four-year educational institution in the United States. Survey respondents were participants in YouGov's online, opt-in research panel, consisting of about 1.8 million individuals.

YouGov used an online survey to interview 2,488 undergraduate students between September 24, 2018 and October 11, 2018. Respondents were offered incentives from YouGov in exchange for completing the survey. The final dataset was created by matching responses down to a sample of 2,225 observations based on a sampling frame constructed using the 2016 American Community Survey.¹⁷ After the matching process, YouGov calculated weights for each response based on the respondent's gender, race, age, education, and geographic region.

Tabulations from the overall dataset have an estimated margin of error of +/- 2.3 percentage points at the 95% confidence level. A portion of the survey, consisting of six questions (referred to as Q28–Q33 in the Survey Questionnaire section of this report), was split so that half of the respondents (1,112 individuals) were asked

questions about “civil liberties,” and the other half of the respondents (1,113 individuals) were asked questions about “civil rights.” Tabulations from the “civil liberties” questions (Q28–Q30) have an estimated margin of error of +/- 3 percentage points at the 95% confidence level. Tabulations from the “civil rights” questions (Q31–Q33) have an estimated margin of error of +/- 3.1 percentage points at the 95% confidence level. Tabulations taken from subgroups of the overall sample and treatment groups have a greater margin of error. The median amount of time it took a respondent to complete the survey was 10 minutes.

Each question asked of respondents is listed in the Survey Questionnaire section of this report. All of the reported tabulations are weighted and may not total 100 percent due to rounding.

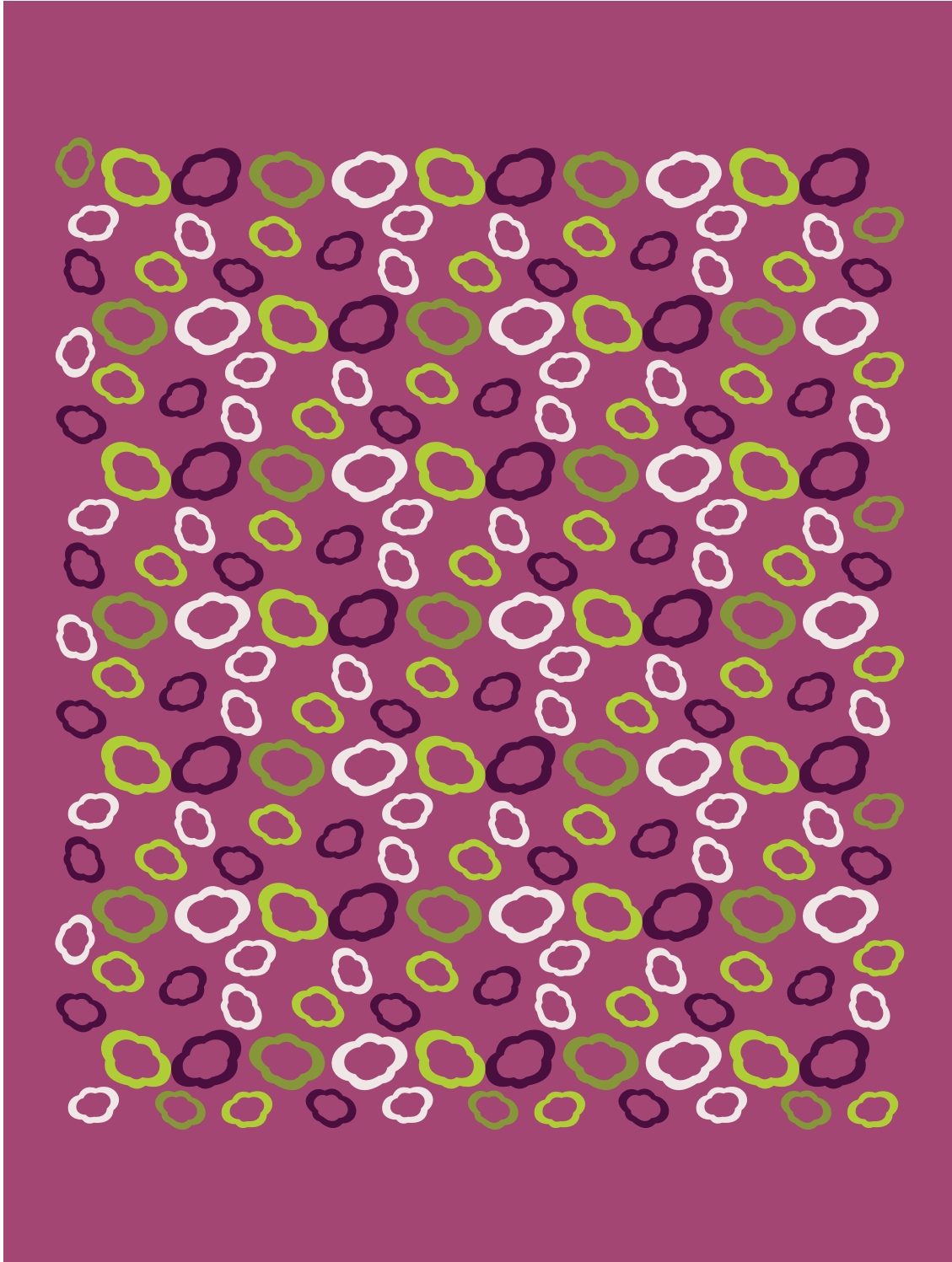
The aim at each stage of this survey project was to objectively understand the opinions and attitudes of college students.

Before publication, this report was externally reviewed by Angela C. Erickson to verify that the results are presented in a fair and honest way. Every effort has been taken to ensure the interpretations are accurate.



¹⁷ United States Census Bureau, American Community Survey, <https://www.census.gov/programs-surveys/acs/data/summary-file/2016.html>.

SURVEY QUESTIONNAIRE



In this survey we are going to ask you questions about a variety of topics including diversity, speech and expression, and the makeup of student groups on college campuses. There are no correct or incorrect answers to the following questions. Thank you for your participation.

Q1 Membership in registered student groups on campus should be open to all students.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q2 Registered student groups on campus should be able to exclude students from their membership who don't agree with the mission of the student group (ex: pro-choice groups could exclude pro-life students, or Republican groups could exclude Democratic students).

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q3 The following types of registered student groups should be able to exclude students from membership if the students don't agree with the mission of the group: [check all that apply]

- Black or African American student groups
- Asian student groups
- Hispanic/Latino student groups
- Sororities or fraternities
- LGBTQ+ student groups
- Christian student groups
- Jewish student groups
- Muslim/Islamic student groups
- Hindu student groups
- Atheist/agnostic/secular student groups
- Republican student groups
- Democratic student groups
- Black Lives Matter student groups
- Tea Party student groups
- Pro-Israeli student groups
- Pro-Palestinian student groups
- Other student groups [please specify]
- All of the above
- I don't think student groups should be able to exclude other students from membership

Q4 Registered student groups on campus should be able to deny leadership positions in the student group to students who don't agree with the mission of the group (ex: pro-choice groups could deny leadership positions to pro-life students, or Republican groups could deny leadership positions to Democratic students).

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q5 Students who disagree with the mission of a registered student group should be able to join the group in order to change the group's mission.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q6 Students at my college or university should be excluded from extracurricular activities (ex: sports, Greek life, student organizations) if they publicly express intolerant, hurtful, or offensive viewpoints.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q7 Groups with missions that certain students find intolerant, hurtful, or offensive should be able to register as student groups and receive student activity fees from student government.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q8 My college or university should be able to deny recognition to a single-gender student group because the group excludes students based on gender.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q9 Students at my college or university should be able to join single-gender student groups that are not recognized by the university.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q10 My college or university should be able to punish students who join single-gender groups that are not recognized by the university.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

The next section of the survey is about student fees and the funding of registered student groups. At most colleges and universities, students are charged a student activity fee that is then used to pay for events and fund registered student groups.

Q11 Student government should charge students a student activity fee that will be used to fund registered student groups and on-campus events.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q12 Students should be able to “opt out” of a student activity fee if they do not want to fund registered student groups and on-campus events.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q13 Students who choose to “opt out” of the student activity fee should still be able to participate in registered student groups and attend on-campus events that receive funding from the student activity fee.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q14 Students should be able to choose which registered student groups their student activity fee funds/does not fund.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q15 Student government should distribute student activity fees to registered student groups on campus without regard to whether the student government agrees with the mission of the student group.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q16 Student government should not distribute student activity fees to registered groups with missions that certain students find intolerant, hurtful, or offensive.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Next, we are going to ask you about discrimination, diversity, expression, and civil rights and liberties. Remember, there are no correct or incorrect answers to the following questions. Thank you for your participation.

Q17 In America today, discrimination against members of minority groups (ex: Black, Latino, or LGBTQ+ individuals) is a major problem.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q18 Students should have the right to free speech on campus, even if what they are saying offends others.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q19 Colleges and universities should be able to restrict student expression of political views that are hurtful or offensive to certain students.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q20 In your opinion, which of the following should be a more important priority for a college's administration? [randomize answer options]

- Promoting an inclusive environment that is welcoming to a diverse group of students
- Protecting students' free speech rights, even if it means allowing hurtful or offensive speech

Q21 The climate on my campus makes it difficult for students to have conversations about important issues such as race, politics, and gender.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q22 On my campus, discrimination against members of minority groups (ex: Black, Latino, or LGBTQ+ individuals) is a major problem.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q23 It is important to be part of a campus community where I am not exposed to intolerant or offensive ideas.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q24 It is important that my college or university encourages students to have a public voice and share their ideas openly.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

[Half of respondents viewed the answer options to Q25-27 in the following order: civil right, civil liberty, either of the above. The other half of respondents viewed the answer options to Q25-27 in the following order: civil liberty, civil right, either of the above. If a respondent viewed "civil right" as the first option to Q25, it was also the first option to Q26 and Q27. If a respondent viewed "civil liberty" as the first option to Q25, it was also the first option to Q26 and Q27.]

Q25 Freedom of assembly is a [blank] guaranteed by the Constitution.

- Civil right
- Civil liberty
- Either of the above

Q26 Voting is a [blank] guaranteed by the Constitution.

- Civil right
- Civil liberty
- Either of the above

Q27 Freedom of speech is a [blank] guaranteed by the Constitution.

- Civil right
- Civil liberty
- Either of the above

[Half of respondents answered Q28–Q30. The other half of respondents answered Q31–Q33.]

Q28 How likely would you be to use a #CivilLiberties hashtag on social media?

- Split-label grid answer options, from "Not at all likely" to "Extremely likely"

Q29 How would you define civil liberties?

- Open-ended [please specify]

Q30 It is important that my civil liberties are protected.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q31 How likely would you be to use a #CivilRights hashtag on social media?

Split-label grid answer options, from “Not at all likely” to “Extremely likely”

Q32 How would you define civil rights?

Open-ended [please specify]

Q33 It is important that my civil rights are protected.

- Strongly agree
- Agree
- Disagree
- Strongly disagree

Q34 Is there a difference between a civil right and a civil liberty?

- Yes
- No
- I don't know

Q35 What do you think is the difference between a civil right and a civil liberty? [Asked only of respondents who answered “yes” to Q34.]

Open-ended [please specify]

Q36 In my opinion, the most important civil right or liberty is: [randomize answer options]

- Freedom of speech
- Freedom of religion
- Freedom of the press
- Right to assemble
- Right to petition the government
- Right to bear arms
- Right to vote
- Right to a fair trial
- Right to equal treatment under law
- Other [please specify]

Finally, we are going to ask you about an event that occurred about one year ago. Remember, there are no correct or incorrect answers to the following questions. Thank you for your participation.

Q37 Do you remember reading or hearing news reports about a large protest that led to violence and fatalities in and around Charlottesville, Virginia, in August 2017?

- Yes
- No
- I don't know

You may recall that in August 2017, a white nationalist protest and counter-protest took place in Charlottesville, Virginia. During the protests, someone drove a car into the counter-protesters, resulting in a woman's death. Two police officers also died that day, and more than thirty people were wounded.

Q38 When you think back to that event, which of the following best characterize(s) your perception of the event? [randomize answer options] [check all that apply]

- Protest
- Hate speech
- Free speech
- Violent
- Unlawful
- Racist
- Police failure

Q39 Did this event change how you think about speech and expression on campus in any way?

- Yes
- No
- I don't know

Q40 How did this event change your perception of speech on campus? [Asked only of respondents who answered “yes” to Q39.]

Open-ended [please specify]

Q41 Did this event change how you think about protest on campus in any way?

- Yes
- No
- I don't know

Q42 Do you think white nationalists should be allowed to protest peacefully?

- Yes
- No
- I don't know

Q43 Why do you think white nationalists should be allowed to protest peacefully? [Asked only of respondents who answered “yes” to Q42.]

Open-ended [please specify]

Q44 Why do you think white nationalists should not be allowed to protest peacefully? [Asked only of respondents who answered “no” to Q42.]

Open-ended [please specify]

Q45 Do you think those protesting against white nationalists should be allowed to protest peacefully?

- Yes
- No
- I don't know

We're almost done — the following questions will help us to get to know you better and make sure that our survey is representative and inclusive. Thanks so much for taking our survey!

Q46 Do you consider yourself to be:

- Male
- Female
- Non-binary
- Prefer to self-describe [please specify]

Q47 Do you consider yourself to be:

- Heterosexual
- Gay
- Lesbian
- Bisexual
- Queer
- Prefer to self-describe [please specify]

Q48 What is the name of the college or university that you attend?

Open-ended [please specify]

Q49 Is the college or university you attend a public or private school?

- Public
- Private
- I don't know

Q50 Is the college or university you attend affiliated with any religion or faith? [Asked only of respondents who answered “private” to Q49.]

- Yes
- No
- I don't know

Q51 What is your current class standing?

- First year (Freshman)
- Second year (Sophomore)
- Third year (Junior)
- Fourth year (Senior)
- Fifth year (Senior or more)
- Graduate or professional student
- Other [please specify]

Q52 What is your major? [allow up to three responses]

- Accounting
- Administrative Science/Public Administration
- Advertising
- Agriculture/Horticulture
- Anthropology
- Architecture
- Art History
- Aviation/Aeronautics
- Biology
- Biostatistics
- Business Administration
- Chemistry
- Child/Human/Family Development
- Classics
- Communications
- Communicative Disorders
- Computer Science
- Criminology/Criminal Justice
- Dance
- Dentistry
- Economics
- Education
- Educational Administration
- Electronics
- Engineering
- English
- Environmental Science/Ecology
- Ethnic Studies
- Finance
- Fine Arts
- Food Science/Nutrition/Culinary Arts

Foreign Language
 Forestry
 Gender/Women's/LGBTQ Studies
 General Studies/Interdisciplinary
 Geography
 Geology
 Health
 History
 Human Resources
 Human Services
 Humanities
 Industrial Science
 Information Technology
 Journalism
 Law Enforcement
 Liberal Arts
 Library Science
 Linguistics
 Literature
 Management
 Marketing
 Mathematics
 Mechanics/Machine Trade
 Medicine
 Music
 Nursing
 Optometry
 Parks and Recreation
 Pharmacy
 Philosophy
 Physical Education
 Physics
 Political Science/International Relations
 Pre-Law/Law
 Psychology
 Public Relations
 Religion/Theology
 Social Sciences
 Social Work
 Sociology
 Special Education
 Sports Science/Kinesiology
 Statistics
 Television/Film
 Textiles
 Theater Arts
 Urban and Regional Planning
 Veterinary Medicine
 Visual Arts/Graphic Design/Design and Drafting

Writing
 Undeclared
 Other [please specify]

Q53 Do you live on or off campus?

On
 Off
 I don't know

Q54 Did either of your parents attend college?

One of my parents attended college
 Both of my parents attended college
 Neither parent attended college
 I don't know

Q55 Have you received a Pell Grant as part of your college financial aid package?

Yes
 No
 I don't know



FIRE's mission is to defend and sustain the individual rights of students and faculty members at America's colleges and universities. These rights include freedom of speech, freedom of association, due process, legal equality, religious liberty, and sanctity of conscience—the essential qualities of liberty. FIRE educates students, faculty, alumni, trustees, and the public about the threats to these rights on our campuses, and provides the means to preserve them.



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