



FIRE QUARTERLY

FALL 2021

‘Thank God for FIRE.’

How the new Faculty Legal Defense Fund
protects expression — and jobs

| 8



A note from the executive director



I last wrote to you in these pages just over a year ago when — due to George Floyd protests, online learning challenges, and pandemic-related restrictions — FIRE’s caseload skyrocketed to numbers we’d never seen before. Like many, I hoped the rights violations spurring the dramatic rise in cases would subside, or at least fall back to usual levels. But in this, as in so many other ways, we’ve yet to see a return to “normal.”

The number of students and faculty members turning to FIRE remains sky-high. **Our annual number of case submissions rose from 999 in 2019 to more than 1,500 in 2020.** This year is hot on the heels of that all-time record. Each one of these cases represents a person whose rights may be violated, whose job may be in jeopardy, or whose voice may be silenced. They’re turning to us, often on one of the worst days of their lives. We take that trust seriously.

FIRE is one of the rare organizations that would love to shrink because the need has decreased. Today, however, we’re expanding. Our staff has grown from 41 employees in March 2020 to almost 70 today. We’re growing because we’re needed more than ever, and we’ve proven that we can win, even in an unfriendly environment.

In my 18 years at FIRE, I’ve been gratified that when I tell people what I do for a living, they usually respond along the lines of “That’s so cool,” or “It’s sorely needed, thank you.” But as of the last year or two, I just as frequently hear “Yikes, I don’t envy your job,” or “Boy, you must be busy.”

While there are still those out there who obtusely insist that all is well, most people sense that something has gone badly wrong with the culture for free speech in our nation, both on and off campus. Yet most people, out of apathy and, increasingly, fear, treat this culture like bad weather—nobody likes it, but they figure there’s nothing they can do about it but hide from its effects.

If you’re reading this, you’re not one of those people. I want to thank you for standing beside us. It’s because of your support that when someone on campus comes to us because their rights are in jeopardy or their job is under attack, we can tell them that we’re here. We can stand beside them.

In these pages you’ll read about law professor Jason Kilborn, who faced termination for redacted slurs in an exam question about discrimination. He was the first client of our newest initiative, the Faculty Legal Defense Fund — which provides free legal help to faculty members facing censorship or punishment for their expression. Kilborn described the moment he found out that FIRE was able to help him as “the moment at which the clouds part and sunshine streams down on me.”

Thank you for your support of this important work. You make the clouds part.

We hope we make you proud.

Robert Shibley

2021 College Free Speech Rankings

Prospective college students who want to make sure that their free expression will be protected should consider Claremont McKenna College or the University of Chicago. But if they land at DePauw University or Marquette University, their free speech rights are at serious risk.

That's because DePauw and Marquette rank dead last in the 2021 College Free Speech Rankings. Presented by FIRE, College Pulse, and RealClearEducation, the rankings assess a school's free speech climate based upon the opinions of over 37,000 students at 159 of America's largest and most prestigious campuses — the largest survey of campus free expression ever performed.

“Existing ranking systems don't look at a core aspect of higher education: the ability to think, discuss, and speak freely,” said FIRE Executive Director Robert Shibley. “Our rankings guide prospective students and their parents toward schools that value free speech and open inquiry. They also help us hold schools accountable and demand they do better.”

The report takes into account the varied dimensions of free expression on campus — from the ability to discuss challenging topics like race, gender dynamics, and geo-political conflicts, to whether students hold back from openly sharing their views. The rankings are designed to help students and parents make enrollment decisions, and score the overall speech climate on each campus.

The top five colleges for free speech:

- #1. Claremont McKenna College
- #2. University of Chicago
- #3. University of New Hampshire
- #4. Emory University
- #5. Florida State University

The worst five colleges for free speech:

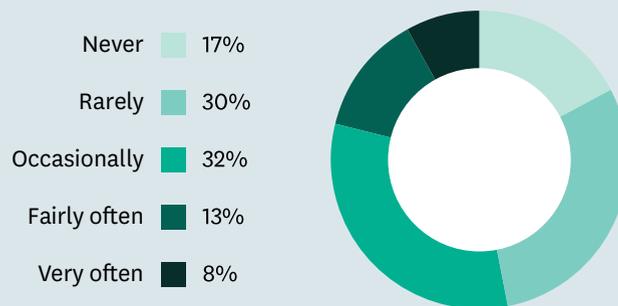
- #150. Rensselaer Polytechnic Institute
- #151. Boston College
- #152. Louisiana State University
- #153. Marquette University
- #154. DePauw University

“There are fundamental questions that every student should want answered before committing to a college,” said FIRE Senior Research Counsel Adam Goldstein. “The value of higher education comes from developing a fuller understanding of the world by asking questions that challenge the status quo. A college that won't clearly protect your right to ask those

questions is a bad deal, even if it boasts small class sizes or a fancy stadium.”

Colleges are scored on seven main components: openness to discussion of controversial topics, tolerance for liberal speakers, tolerance for conservative speakers, administrative

On your campus, how often have you felt that you could not express your opinion on a subject because of how students, a professor, or the administration would respond?



support for free speech, comfort expressing ideas publicly, whether students support disruptive conduct during campus speeches, and FIRE's speech code rating.

Other highlights from the report include:

- More than 80% of students report self-censoring their viewpoints at their colleges at least some of the time, with 21% saying they censor themselves often.
- Generally, students showed much greater intolerance for campus speakers with conservative positions.
- Racial inequality, abortion, and gun control top the list of most the difficult subjects to discuss.
- 66% of students report some level of acceptance for speaker shout-downs (up 4 percentage points from FIRE's 2020 report) and 23% consider it acceptable for people to use violence to stop certain speech (up 5 percentage points).

“The research is clear, and our experience working with these schools confirms it: Much of the campus climate for expression is determined by the administration,” said Sean Stevens, FIRE senior research fellow for polling and analytics. “Staking out a leadership position on free speech and open debate resonates with students and has a real effect on a campus' climate for free expression.”

Visit rankings.thefire.org to view the full rankings

A MED SCHOOL PROHIBITED A STUDENT FROM STARTING A CLUB PROMOTING HEALTHCARE REFORM. NOW HE IS GOING TO PROTECT HIS RIGHTS.

“Do no harm” is the foundational principle of medical ethics, but a public medical school is harming its students by attempting to sterilize their opinions.

Edward Si, a student at Eastern Virginia Medical School, won't let that happen. Backed by FIRE, Si filed a lawsuit on Aug. 17 against interim EVMS President Alfred Abuhamad and other university officials.

Si aims to establish a chapter of Students for a National Health Program (the student branch of the national organization Physicians for a National Health Program) at EVMS. Recognized clubs at EVMS receive a variety of benefits, including funding eligibility, use of the school's name and branding, and use of campus facilities.

In December 2020, Si applied for recognition to the student government on behalf of himself and 20 other prospective SNaHP members. The SGA denied SNaHP's application in January, claiming that it “does not want to create clubs based on opinions, political or otherwise, and the mission and goals of your club do not describe what we believe to be necessary or sustainable for a club.” (Despite the fact that other opinion-based groups like Medical Students for Choice and the Christian Medical and Dental Association enjoy official recognition.) The SGA cited no other reason for the denial.

Si spent months trying to persuade administrators to reverse the student government's unconstitutional viewpoint discrimination, but no university official rectified the situation. He hopes the lawsuit will vindicate his rights and send a message that public universities cannot get away with violating their students' expressive and associational liberties.

“I decided to sue in order to uncover the truth and to stand up for my basic constitutional and human rights,” Si said. “Without freedom of expression, there can be no student activism and political advocacy.”

Si reached out to FIRE, which called on the university to end its viewpoint discrimination and recognize the club. An administrator responded to the first of two letters, falsely claiming that the club did not comply with requirements. FIRE received no response to the second letter.



“FIRE publicly and privately warned EVMS multiple times that the student government is violating Edward's First Amendment rights, and the school still refused to act,” said FIRE Litigation Fellow Jeff Zeman. “If EVMS won't answer to the court of public opinion, it will answer in a court of law.”

Public universities are bound by the First Amendment, and it is unconstitutional to deny a student organization recognition granted to others on account of its viewpoint. EVMS' vague and overly broad policies grant SGA members the ability to deny some student clubs school resources available to others, thereby denying students like Si their Fourteenth Amendment right to due process of law.

The lawsuit was filed with Patrick Curran of Davis Wright Tremaine serving as local counsel.

UPDATE: One day after FIRE filed our lawsuit, Eastern Virginia Medical School approved Edward's long-denied club application. But it shouldn't take 258 days — and a lawsuit — for student rights to be protected. Until EVMS changes the unconstitutional policies that allow the student government to deny clubs recognition because of their beliefs, the lawsuit will continue. Stay tuned for updates!

FIRE to Supreme Court: It's time for an intervention



FIRE petitioned the Supreme Court in July to be allowed to become a party in a lawsuit so that it can defend important Department of Education regulations issued last year on Title IX, the federal law prohibiting sex discrimination in federally funded educational programs. The regulations provide students with essential free speech and due process protections that were long denied to them in disciplinary proceedings related to allegations of campus sexual misconduct.

To date, five lawsuits have been filed challenging the regulations. FIRE moved to intervene in each to defend the regulations as constitutionally necessary — an argument the Department of Education has refused to make. In one lawsuit brought by 18 attorneys general, the U.S. District Court for the District of Columbia allowed FIRE (and its coalition partners Speech First and Independent Women's Law Center) to intervene in the case to defend the regulations on constitutional grounds. But in a similar challenge, the U.S. District Court for the District of Massachusetts denied FIRE's coalition the right to intervene.



Darpana Sheth leads FIRE's litigation efforts.

Why the conflicting rulings in virtually identical cases? Because the federal courts of appeals disagree on the standard for determining whether a nonparty like FIRE has a right to enter a lawsuit on the side of the government in order to protect its interests. Some circuits, like the U.S. Court of Appeals for the First Circuit, put a thumb on the scale against intervention by presuming that the government will adequately represent the interests of proposed intervenors until they prove otherwise.

But governments don't usually have the same interests as private citizens. Why should courts presume that they do? That is the important question FIRE and other advocacy groups hope the Supreme Court will take up. Four organizations — the Institute for Justice, Alliance Defending Freedom, Liberty Justice Center, and Mountain States Legal Foundation — filed *amicus* briefs in support of FIRE's petition. And it looks like there is some interest on the nation's highest court for doing so. On Sept. 1, the Supreme Court ordered the parties in the lawsuit to respond to FIRE's petition.

Since FIRE filed its motion to intervene in July 2020, its arguments for becoming a party to the challenges to the Title IX regulations have only gotten stronger. While on the campaign trail, Joe Biden vowed a "quick end" to the due process protections. Upon taking office, he tasked then-incoming Education Secretary Miguel Cardona with reviewing the regulations. Moreover, although the district court upheld most of the regulations, it invalidated a provision guaranteeing that witness testimony will be tested through cross-examination. The district court's ruling is being appealed.

As this administration continues to mischaracterize, criticize, and refuse to defend the due process protections contained in the 2020 Title IX regulations, it is vital that FIRE be allowed to intervene to make the strongest case for protecting student rights.

on that note...

To ensure that every student is treated fairly and has access to capable representation, FIRE teamed up with two of the nation's leading Title IX litigators to create a guide for attorneys navigating the complicated campus judicial process. The guide is free for attorneys in FIRE's Legal Network. thefire.org/legal/fires-legal-network

New Title IX regulations bolstered due process at colleges

The regulations, now threatened by the Department of Education, are a minor bright spot for student due process rights

The due process rights of America's college students hang in the balance as the Senate considers returning Catherine Lhamon to her former post as the Department of Education's assistant secretary for civil rights. Against this backdrop, FIRE examines the gains realized since Title IX regulations went into effect last year — improvements that would be threatened if Lhamon is confirmed.

"Spotlight on Due Process 2020-2021" examines policies at 53 top national colleges to see how many of 10 fundamental procedural safeguards those institutions guarantee to students accused of violating college policy. Those safeguards include the presumption of innocence, the right to impartial fact-finders, and the right to meaningfully cross-examine one's accuser — which are often absent on college campuses. For example, 62% of rated colleges do not even explicitly guarantee students that they will be presumed innocent until proven guilty.

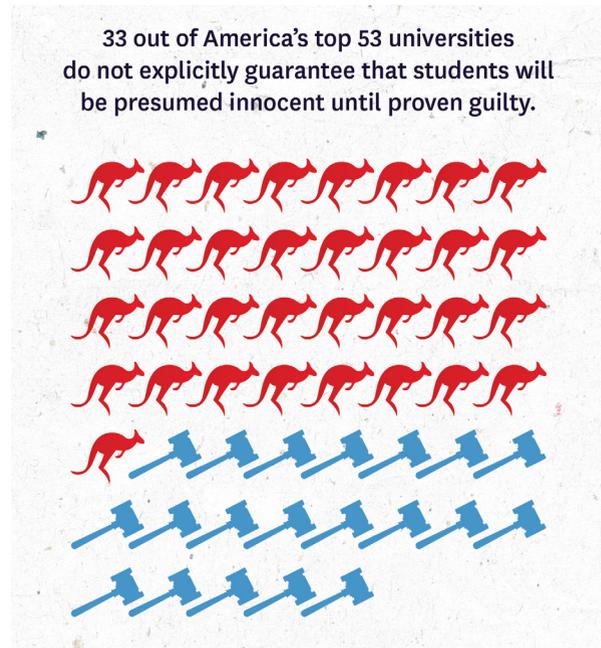
In 2020, the Department of Education released new regulations for how colleges must respond to alleged violations of Title IX, the 1972 law that prohibits sex discrimination in federally funded educational programs. The Title IX regulations, which apply to nearly every college and university in the country, public or private, carefully balance the rights of complainants and accused students alike.

Lhamon has repeatedly expressed contempt for the regulations. But they are demonstrating a positive effect on campus: At 85% of schools in the report, Title IX sexual misconduct policies scored noticeably higher than other policies.

Students charged under those other policies — such as procedures governing non-Title IX misconduct like fighting, destruction of property, or sexual misconduct not covered under Title IX — are still denied basic due process protections. Many institutions went from the already confusing and unfair status quo of having two disciplinary systems with different rules — one for sexual misconduct and one for all other misconduct — to having three such systems, simply adding another set of rules for sexual misconduct governed under the new Title IX regulations.

"Institutions are taking every opportunity to avoid providing due process across the board," said FIRE Program Officer Ryan Ansloan, lead author of the report. "America's top universities are offering rock-bottom due process protections. That's why lawmakers and the courts must require a single, clear, and fair process for adjudicating campus misconduct once and for all."

FIRE's findings were troubling: Despite improvements, 44 of the 53 universities studied received a D or F grade for maintaining at least one system of policies that guaranteed no more than 4 of those 10 safeguards. Fewer than 1 in 6 colleges guarantee a meaningful hearing, where each party may see and hear the evidence being presented to fact-finders by the opposing party, before a finding of responsibility. On the other hand, 64% have a policy that guarantees a meaningful hearing for cases covered under the Title IX regulations.



"This report is proof that institutions will go to absurd lengths to abridge their students' rights," said Ansloan. "These ratings represent the fates of real students who face suspension or expulsion without a fair process. No student should have to face a confusing, unwieldy campus judicial system with the deck already stacked against a fair process."

Scholars Under Fire:

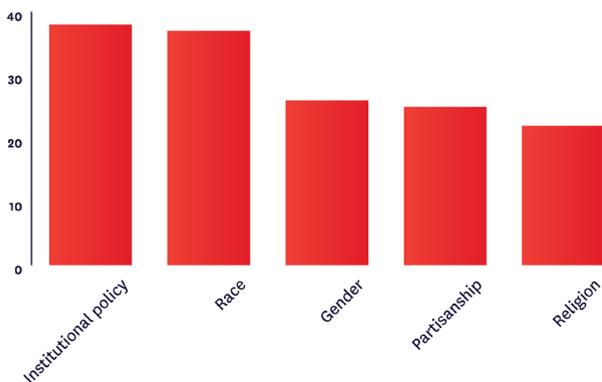
3 in 4 campaigns targeting faculty expression result in punishment



A new FIRE report shows an alarming 74% success rate for campaigns targeting collegiate scholars for their constitutionally protected speech — and the data suggest the worst is yet to come.

Scholars are terminated most often for expressing their views on institutional policy and race.

Number of scholars terminated for expression about the following:



“Scholars Under Fire” documents attempts to penalize scholars for speech and expression that, although often controversial, is protected by the First Amendment. The research includes an interactive database examining over 400 incidents since 2015 — searchable by faculty characteristics, the source of the outrage, whether the pressure is from the political left or right of the scholar, the outcome, and more.

“Scholars should not lose their jobs for expressing controversial views,” said FIRE Research Fellow Komi German, one of the report’s authors. “But too often, that’s exactly what happens. Disagreement should be the catalyst for debate, not a license to silence disagreeable opinions and penalize those who hold them.”

The report found that such incidents have increased significantly in recent years, quadrupling since 2015 and peaking in 2020 at 113 incidents. This year is on pace to match or exceed 2020’s record.

Other notable findings from the report include:

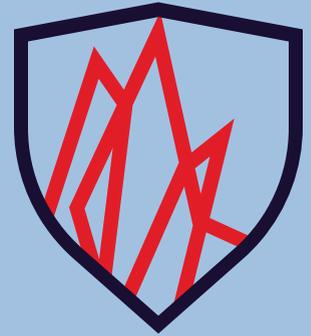
- Undergraduates are by far the largest source of attacks on scholars from the left. For scholars attacked from the right, the public and administrators are the leading sources.
- Targeting incidents occur most often in disciplines that are at the core of liberal arts education: law, political science, English, history, and philosophy.
- The problem spans ideologies: while most campaigns (62%) came from the political “left” of the scholar, 34% came from the scholar’s political “right.”
- Most incidents occur because of speech or expression on social media.
- Campuses where the most targeting incidents occur tend to also have severely restrictive speech codes, and are unlikely to have adopted the Chicago Statement guaranteeing a commitment to free speech.

“Behavior that gets rewarded gets repeated,” said Sean Stevens, FIRE’s senior research fellow and co-author of the report. “If administrators keep caving in to demands to punish faculty for their expression, the demands will continue to increase. Colleges need courageous leadership committed to the values and mission of their institutions — not spineless bureaucrats who give in to mob demands.”

on that note...

FIRE’s Scholars Under Fire report was covered widely by the media. The report was discussed in The New York Times, The Daily Wire, Reason, Times Higher Ed, The Washington Times, Inside Higher Ed, The Week, on local radio stations, and more.

FIRE's new defense fund is here to save college faculty jobs. And we just closed our first case.



When the University of Illinois Chicago suspended and launched an investigation into law professor Jason Kilborn, he initially didn't know where to turn.

He had posed a long-used hypothetical question in a December 2020 law school exam using redacted references to two slurs. The question about employment discrimination included a plaintiff being called "a 'n____' and 'b____' (profane expressions for African Americans and women)" as explosive evidence of the discrimination, and presented just as you read them here. But even redacting the terms didn't save him from criticism — or eventually being targeted by his school.



"Undergrad teaches students to think, but law schools, medical schools — they have to teach students how to do," said Kilborn, who has taught law for 21 years.

Graduate programs in law and medicine, for example, can't be taught with memorization or a series of lectures. He said they require difficult, hands-on training in the messy parts of their disciplines. Would you trust a surgeon who sat through a series of lectures, but never cut open a patient? In law school, Kilborn said, that level of experience comes from engaging with real-world examples involving complicated, difficult legal cases.

"In virtually every one of my law classes, I try to put that scalpel in my students' hands and ask them: What do you do," he said. "These hypotheticals really force students, future lawyers, to be confronted with the messy reality they'll be faced with in the outside world."

But after this hypothetical, with no warning or attempt at communication to discuss the issue, the Black Law Students Association denounced Kilborn to the dean, the administration, and the media for the exam question. In January, just before the first class on the first day of spring semester, UIC's administration abruptly suspended him, refusing to explain the basis for the indefinite suspension.

"This hits you like a ton of bricks," said Kilborn. "It was totally unexpected. You're totally isolated."

A petition circulated against Kilborn's use of the redacted terms. It called for mandatory cultural sensitivity training for all faculty and staff, speech-restrictive policies for faculty, and for Kilborn to step down from his position as chair of the academic affairs committee.

"We do not have time for band-aid solutions," read the petition. "We need surgery and this operation is not up for debate."

'YOU'RE VIOLATING HIS RIGHTS. BACK THE HELL OFF.'

Rather than recognize that the exam question fell within the bounds of Kilborn's right to academic freedom, the university promised a "thorough review." Kilborn turned to a faculty listserv for help. He'd never heard of FIRE; it was a colleague who suggested he get in touch.

"This is the moment at which the clouds part and sunshine streams down on me," Kilborn said.

Every weekday morning, FIRE lawyers discuss the cases that came in since their last meeting to determine whether and how we can help. When students or faculty members come to FIRE, they get a response — fast.

"Within hours FIRE writes me back, saying 'Your case is interesting and we'd like to talk.' Finally you're not alone," Kilborn said. "Someone can tell the school: You're violating his rights. Back the hell off."

FIRE called on UIC Chancellor Michael Amiridis to reject "any intent to punish Kilborn over his protected expression"

and gave UIC a good-faith opportunity to reaffirm Kilborn's academic freedom rights. UIC confirmed that it was, in fact, conducting an investigation into Kilborn's exam and rejecting FIRE's concerns about his academic freedom rights.

The move earned UIC a spot on FIRE's annual list of the 10 Worst Colleges for Free Speech, as well as pointed criticism from outlets and commentators across the country. In the Chronicle of Higher Education, Northwestern University law professor Andrew Koppelman billed the situation as "punitive overreactions of university administrators grow[ing] ever more demented."

Faculty at public colleges and universities whose rights are threatened should call our 24-hour hotline at 254-500-FLDF (3533).

What Kilborn didn't know was that FIRE was beta testing a new initiative focused on providing faculty with free legal help when their rights are violated in ways beyond what FIRE's longstanding Legal Network has provided. The initiative followed a year in which expressive rights were walloped by pandemic- and protest-related restrictions. Kilborn would become the first faculty member helped by FIRE's emerging Faculty Legal Defense Fund.

"That was one of the most elated feelings I've had since I married my wife," he said. "The only thing that can make this stop is the threat of a lawsuit."

A NATIONAL SOLUTION FOR A NATIONAL CRISIS

Kilborn isn't alone in being targeted for controversial expression. FIRE examined the rise in collegiate scholars punished for their constitutionally protected speech. An alarming 74% of targeting incidents are "successful" — meaning the scholar ends up with some type of punishment, such as investigations or suspension. One in four targeted scholars lose their job.

"Our message to faculty is clear: When you face potential investigations or termination due to your expression, you are not alone," said Ronnie London, director of the fund. "We are the trusted, nonpartisan defenders of free speech and academic freedom — with a proven track record of success. As threats to faculty speech rights rise, so too must the efforts of those who fight to defend those rights."

The FLDF, funded by the Stanton Foundation, provides free legal representation to faculty through its national network of attorneys. Faculty at public colleges and universities whose rights are threatened should call our 24-hour hotline at 254-500-FLDF (3533).

The fund is already defending (or has successfully defended) a dozen faculty members, including Kilborn.

"Thank God for FIRE, and thank God for the Faculty Legal Defense Fund," he said. "FIRE gave me the comfort of public support and solidarity; the FLDF gave me the silver bullet of real legal action. Having a gladiator standing beside me and shaking his sword — that alone is enormously powerful."

Through the fund, FIRE connected Kilborn with a local attorney, Wayne Giampietro. With help from the FLDF team at FIRE, the pair reached a resolution with UIC. Kilborn agreed to alert the dean before responding to student complaints about racial issues, and the audio of his classes would be recorded — both stipulations Kilborn welcomed in order to protect himself against spurious complaints, and one he'd already decided to take independently.

Kilborn objected to mandatory sensitivity training or signing a non-disclosure agreement that would have barred him from commenting about the ordeal. He said it's thanks to the credible threat of action by the FLDF that the resolution did not contain these elements.



Kilborn lamented that he didn't get his day in court to fully vindicate his rights, but he wanted to get back in the classroom and move on to training the next generation of lawyers. The fund puts faculty in the driver's seat; if they and their counsel find a resolution that works, they never even have to go to court.

"What FIRE and the legal defense fund gave me is the ability, and the credibility, to go to the administration and defend my rights," he said. "I had a lawyer standing beside me, ready to act even if we decided to take no action — and that means a lot."

Donor spotlight: Bradley & Gail Husick

“FIRE and its important work of defending free speech on campus first came to our attention when we read ‘The Coddling of the American Mind’, co-authored by FIRE’s President, Greg Lukianoff. Little did we know then that our own family would soon be turning to FIRE for help.

We learned first-hand how the Cancel Culture mob, with acquiescence and cooperation from faculty and administrators, attempts to bully and silence those with dissenting views. When our son expressed the unpopular ideas in his social science graduate program that emotional reasoning should not overtake rational analysis and that relevant statistical data should be included in a class discussion of a hot topic, the professor promptly shut down the online discussion thread. Anonymous accusers then filed a grievance, and our son was summoned to participate in what appeared to be some sort of disciplinary inquiry involving



questionable due process. The stakes were high as a negative disciplinary outcome could have had an adverse impact on our son’s ability to enter his chosen profession.

Thank goodness FIRE was there for our son! With support from FIRE, our son was able to successfully navigate this challenge and to remind the university of its stated commitment to free speech in its Student Bill of Rights. Fortunately, the issue was resolved without litigation. Knowing that FIRE had his back if it came to that gave our son the confidence he needed to stand up for his rights and to continue participating in his program without fear or self-censorship.

Thank you to FIRE for your effective advocacy and your tireless efforts to educate students, faculty, administrators, and others about the eternally radical idea that is freedom of speech.”

Gail and Bradley Husick are dedicated members of FIRE’s Ember Club. Their investment in FIRE enables our team to continue defending the free speech and due process rights of students and professors. FIRE is immensely thankful to have their friendship and support.

You can learn more about The Ember Club at thefire.org/donate. If you would like to discuss joining The Ember Club, please do not hesitate to contact us at support@thefire.org or 215-717-3473.

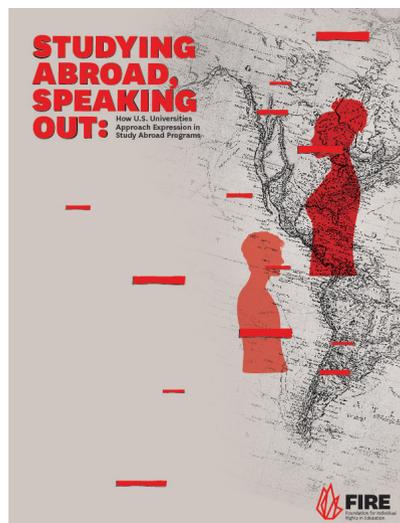
REPORT:

Colleges forget their free speech promises when students study abroad

Many colleges make laudable promises of free speech on campus. But do they still respect those promises when their students study abroad? According to a new FIRE survey, the answer is “no” at many top colleges.

“Studying Abroad, Speaking Out” examines the study abroad policies and resources at 100 of America’s most prestigious colleges. The report addresses the policies and educational materials related to expression in study abroad programs, including information about student rights abroad, limits on student travel related to speech restrictions abroad, warnings against expressive conduct abroad, and policies governing students’ speech in study abroad programs. FIRE’s new report also includes recommendations for school administrators who wish to protect their students’ speech while acknowledging the challenges posed by speech restrictions in other countries.

“Ensuring students understand the censorship threats they may face abroad should be a basic priority for colleges with study abroad programs,” said FIRE Director of Targeted Advocacy and report author Sarah McLaughlin. “FIRE is here to help administrators navigate the complexities of protecting their students’ rights as they travel overseas.”

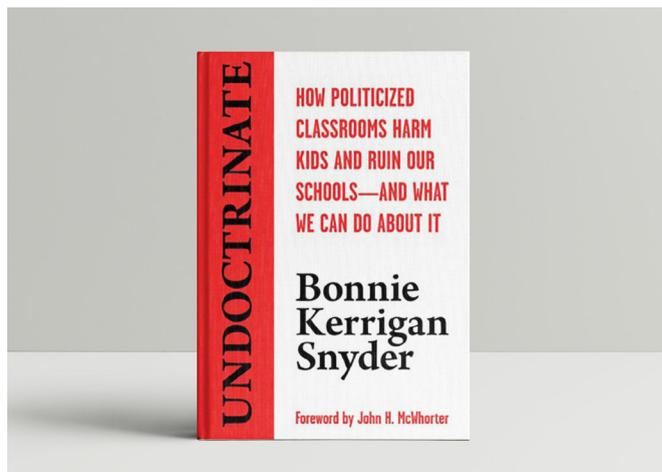


Of the 100 institutions surveyed, 18 crafted their own policies that confusingly incorporate foreign laws into campus conduct policies or govern what students can say abroad, creating even more uncertainty for students about their speech rights. Some of these policies would clearly violate the First Amendment if applied in the United States. Almost 40 institutions warn students against certain kinds of expression abroad, especially speech on social media and at protests.

What we're reading: 'Undoctrinate' by FIRE's Bonnie Kerrigan Snyder



FIRE offers an ever-expanding trove of resources for K-12 teachers to help students learn about their rights. Our latest, about Constitution Day, aims to help educators communicate the background and value of their First Amendment rights. This standards-based lesson includes a prepared PowerPoint slide deck, summarized reading materials, and accompanying discussion and critical thinking questions.



We are expanding our resources for K-12 parents as well. That's why FIRE's Director of High School Outreach, Bonnie Kerrigan Snyder, is out with a new book, "Undoctrinate: How Politicized Classrooms Harm Kids and Ruin Our Schools - And What We Can Do About It." Here's more from Bonnie:

There is a new, urgent focus on a longstanding problem in our schools: the politicization of the classroom by activist-minded educators.

Whatever you believe about vaccination, election integrity, voter suppression, community policing, identity politics, or a host of other disputable topics roiling our public discourse, one thing that we should all agree on is that American schoolchildren should be presented with multiple sides of controversial issues, while learning how to think for themselves. At least, that's what professional codes of ethics for educators have always demanded.

Unfortunately, times have changed. Many students now are expected to conform to rising classroom "orthodoxy" — an established set of opinions that few dare to question for fear of

negative repercussions. At FIRE, we've known for a long time that the range of "acceptable" opinions in academia has been narrowing; it's what we fight every day.

Today, the same thought constriction is filtering down to younger students and impoverishing their learning opportunities, right at the start of their academic careers. Even elementary school students are feeling pressure to conform to political narratives and self-censoring at school. This restrictive thought orthodoxy is inconsistent with and unacceptable for the education of free people in a democratic republic.

Accompanying this growing ideological conformity is a troubling lack of transparency between schools and the community. Schools are adopting new philosophical commitments without full disclosure, open discussion, or buy-in from parents. The teacher-parent relationship, which has traditionally been warm and collaborative, is becoming guarded, suspicious, and in some cases, openly hostile, as demonstrated in numerous combative school board meetings across the country.

The current situation isn't surprising to anyone who's been paying attention for the past few decades. Education schools, which train teachers, have a long history of cultivating an ideological monoculture and promoting approved ideologies; these are now drifting downward into secondary and even elementary schools, as graduates enter the teaching professions.

The good news is that parents and communities are responding and taking action. As more incidents of educator bias come to light, they are bringing the fight against school indoctrination into the open — where it can best be defeated. After all: Sunlight is the best disinfectant.

"Undoctrinate" provides a necessary antidote to the politicized classrooms that poison our children's education. It examines the problem in our schools, analyzes how we got here, and explains the many ways in which indoctrination impedes optimal child development and diminishes America's schools. Most importantly, it outlines an effective and positive path forward that restores robust free thought to K-12 classrooms.



510 Walnut Street, Suite 1250
Philadelphia, PA 19106

T: 215.717.3473 F: 215.717.3440

www.thefire.org



@thefireorg

BUT WAIT! There's more...



Summer conference 2021

After a year of conferences was dashed by the pandemic, the FIRE Student Network summer conference roared back to life at the National Constitution Center in late July. We welcomed over 80 student attendees to Philadelphia to hear from FIRE staff and other civil liberties experts on how to assert — and protect — their rights.

First Amendment fashion: FIRE launches online swag store

From its headquarters in Philadelphia (the Milan of southeastern Pennsylvania), FIRE announces its first foray into “hot” couture with the launch of its swag store. Forget Louis Vuitton and Madison Avenue — this is Louis Brandeis and James Madison.

Items available for purchase include blankets, wine glasses, umbrellas, shirts, notebooks, and hoodies — because censorship is uncomfortable, but clothes shouldn't be!

store.thefire.org



FIRE's orientation materials — now on a campus near you!

Nine colleges so far have adopted FIRE's orientation materials, which FIRE provides to institutions free of charge in order to help students learn their rights. East Tennessee State University created a First Amendment webpage featuring six of our videos.

“I use them as the first assignment each semester, during the time when students are still trying to acquire textbooks, get their schedules worked out, and motivate themselves for the new semester,” said Mark Fulks, ETSU's general counsel. “I have them watch the videos and write a short reflection paper, discussing any aspect of the First Amendment that they find interesting. We then discuss the First Amendment. I think my students enjoyed that assignment and learned a lot from it.”