SHIFTING WINDS:
STUDENTS UNDER FIRE, 2020-2024

"Speech restrictions are like poison gas: they seem like a good idea when you've got the gas and a deserving target in sight. But then the wind shifts and blows the gas back on you."
—Ira Glasser

FIRE

EXECUTIVE SUMMARY

This report examines the efforts to investigate, censor, or otherwise discipline students at U.S. colleges and universities for expressive activity that is, or at a public institution would be, protected by the First Amendment. An analysis of these incidents documented in FIRE's Students Under Fire database between 2020 and 2024 follows.

Key findings include:

- From 2020 through 2024, FIRE documented 1,014 students and student groups who were either targeted for or recipients of punishment[1] from either their administration or student government in response to their protected speech.
- For comparison, FIRE's Campus Deplatforming and Scholars Under Fire databases currently[2] respectively contain 556 and 669 incidents over the same five-year period, and 1,703 and 1,273 incidents over a 25-year period.
- Overall, more students and student groups were targeted or punished for expression from their left (476 entries) than from their right (337 entries).[3] In the other 201 speech controversies, the political direction was either unclear or the attempt was apolitical.
- From 2020 through 2022, students and student groups were mostly targeted by their peers, for expression about race, and from their left.
- From 2023 to present, students and student groups were mostly targeted by administrators, for expression about the Israeli-Palestinian conflict, and from their right. During these two years, government officials and politicians led more attempts to punish student speech than in any other period.
- Two in five (41%) speech controversies in 2023 involved speech about the Israeli-Palestinian conflict made after Oct. 7.
- Overall, nearly two-thirds (63%) of all student speech controversies over the past five years resulted in at least one administrative punishment.

1. The Students Under Fire database treats administrative investigations as punishments, even though they don't qualify as formal discipline.
2. As of April 30, 2025.
3. Most speech in the database is political in some way, whether it belongs to the targeted student(s) or the source(s) initiating attempts against them. Though the political orientation of the targeted student(s) or the source(s) is sometimes made explicitly clear (e.g., College Democrats or College Republicans), in most cases it is not, and even when it is, they may still be targeted by those of similar alignment. Thus, the Students Under Fire database tracks the political direction of the attempt or punishment in relation to the targeted student or speech, describing these as coming either "from their left" or "from their right," or as unclear/apolitical in nature.

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INTRODUCTION

Mimi Groves grew up in Leesburg, Virginia. She is white.

Jimmy Galligan was also from Leesburg, and attended Heritage High School along with Groves. His mother is black, and his father is white. He and Groves used to be friendly.

As a 15-year-old high school freshman in 2016, Groves sent a three-second Snapchat video to a friend letting them know she had just gotten her learner's permit. In the video, Groves looked into the camera and announced, "I can drive, niggah."

Years later, while sitting in his senior history class, Galligan received a notification on his phone. It was a link to the years-old video. He alerted teachers and administrators, but they took no action against Groves. Angered, Galligan held on to the video and waited, later telling a reporter with The New York Times, "I wanted to get her where she would understand the severity of that word."

Groves, now a senior and varsity cheer captain, had always dreamed of cheering at the University of Tennessee, Knoxville. In the spring, her dream had finally come true, and she and her parents celebrated with cake and orange balloons — the university's official color.

One month later and almost 1,000 miles away, police detained George Floyd, a black man, on suspicion of passing a counterfeit bill. Derek Chauvin, a white police officer, pinned Floyd face-down on the ground while kneeling against his neck for over nine minutes. By the time paramedics arrived, Floyd was dead.

As protests erupted across the nation, Groves took to social media to express her support for the Black Lives Matter movement, calling upon others to "protest, donate, sign a petition, rally, do something." She received a response from an unrecognized user, "You have the audacity to post this, after saying the N-word."

Shortly thereafter, Groves received urgent calls from her friends, alerting her that her name was all over social media. Galligan had released the video.

While the University of Tennessee soon received hundreds of calls to revoke Groves' admissions offer, Groves had received messages of her own on social media, with some allegedly threatening violence should she step foot on campus. In a conversation with an admissions officer, Groves and her parents were told, "They're angry, and they want to see some action."

Groves received an ultimatum: withdraw or have her admissions offer rescinded. She withdrew. Her mother later said of the incident, "We just needed it to stop, so we withdrew her... They rushed to judgment and unfortunately it's going to affect her for the rest of her life."

The university took to social media to update the public:

> On Wednesday, following a racist video and photo surfacing on social media, Athletics made the decision not to allow a prospective student to join the Spirit Program. She will not be attending the university this fall.

In the months that followed, Groves enrolled in online classes at a local community college. She continued to live at home and sleep in her childhood room, still decorated with cheerleading trophies. She later told reporters:

> At the time, I didn't understand the severity of the word, or the history and context behind it because I was so young… It honestly disgusts me that those words would come out of my mouth. How can you convince somebody that has never met you and the only thing they've ever seen of you is that three-second clip?

A friend of Groves, who is black, told a reporter with The New York Times that Groves had personally apologized to her for the video long before it spread online. She defended Groves on social media, stating, "We're supposed to educate people, not ruin their lives all because you want to feel a sense of empowerment."

Galligan had a different perspective, telling that same reporter, "If I never posted that video, nothing would have ever happened. I'm going to remind myself, you started something. You taught someone a lesson."

STUDENTS UNDER FIRE – OVERVIEW

Free speech is the right to express your thoughts, beliefs, and opinions without fear of government punishment or censorship — and it's especially vital on college campuses, where ideas should be challenged, debated, and refined. For students, free speech means being able to speak out on issues that matter, question authority, protest peacefully, and engage with diverse viewpoints — even unpopular or controversial ones. It's the cornerstone of a true education, fostering intellectual growth and preparing students to live and thrive in a free society.

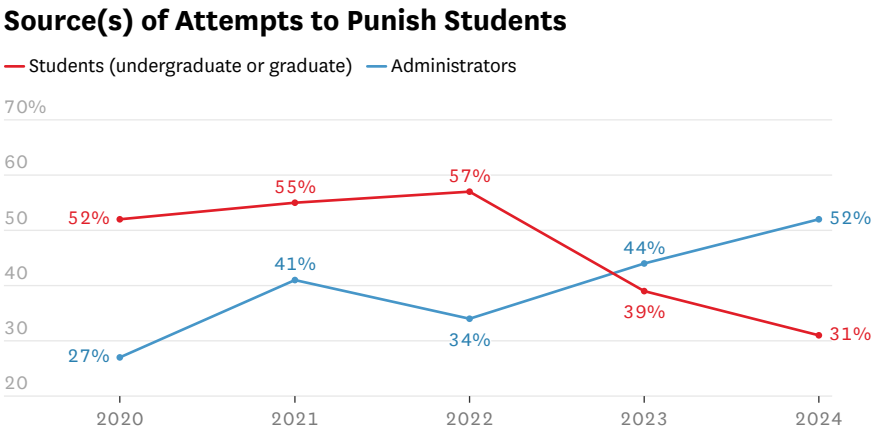
Mimi Groves is among the at least 637 students and student groups over the past five years who were punished in some way by their administrations for expression that is, or at a public college or university would be, protected by the First Amendment. Among the worst punishments were 317 students and student groups who were censored, 72 who were suspended, 55 who were separated from their institution or its funding,[4] and 19 more who were unenrolled under ambiguous circumstances.

FIRE tracks attempts to get students and student groups punished on U.S. college and university campuses[5] for their free speech and the outcomes of those attempts going back to 2020. The Students Under Fire database relies on publicly available information to document various details about these controversies, including but not limited to the source(s) calling for punishment, the speech topic(s) of controversy, and the political direction of the attempt in relation to the targeted speech. The Students Under Fire database is unprecedented both in type and scale, offering the most detailed collection of campus controversies involving students' protected speech to date.

Between 2020 and 2024, FIRE identified 1,014 students and student groups targeted for or recipients of punishment[6] for their protected speech. And these are just the incidents we know about. To put this number into perspective, FIRE's Scholars Under Fire (which tracks calls to punish professors) and Campus Deplatforming (which tracks calls to cancel events or remove artwork) databases documented 669 and 556 attempts respectively over the same five-year period.

An analysis of the student data shows dramatic swings in each of the above categories over the past five years — marked by two distinct eras. In the first, spanning from 2020 through 2022, most students and student groups were targeted by their peers, for speech about race, and from their left. In the second, spanning from 2023 to present, most were targeted by administrators, for speech about the Israeli-Palestinian conflict, and from their right. The past two years have also seen more attempts led by government officials and politicians than in any other years.

4. Expelling a student, revoking a student's admissions offer, or denying/rescinding recognition of a student group.
5. The database includes both public and private institutions. Though only public institutions are beholden to the First Amendment, most private institutions promise free speech rights to their students. See the methodology.
6. Either by their administration or student government.



Instead of occurring gradually, these swings were swift, suggesting they were in response to polarizing cultural events — the racial justice movement spawned by George Floyd's death in 2020 and Hamas' attack on Israel and Israel's subsequent response in 2023. These catalysts ignited students' passions and tested administrators' resistance from pressures to restrict speech.

Initially, it was students themselves who sought to restrict speech, demanding safeguards against what they saw as harmful language and for their administrations to suspend tolerance of those considered intolerant. But then, after student protests against the war in Gaza garnered the attention of national media and government officials, it was administrators who sought to limit what students could and could not say, illustrating a point that former ACLU Executive Director Ira Glasser once made:

> *Speech restrictions are like poison gas: they seem like a good idea when you've got the gas and a deserving target in sight. But then the wind shifts and blows the gas back on you.*[7]

The data show these winds can shift rather quickly.

7. https://www.spiked-online.com/2023/01/21/why-we-must-fight-for-the-right-to-hate/

THE DATA

2020: COVID-19 AND GEORGE FLOYD

BACKGROUND

On Feb. 23, 2020, a black man named Ahmaud Arbery was jogging through Satilla Shores, a predominantly white neighborhood near Brunswick, Georgia. Three white men who later told police they believed Arbery was responsible for nearby burglaries confronted him during his run. One of the men shot and killed Arbery in the altercation.

On March 13, Louisville police officers executed a no-knock warrant to search Breonna Taylor's apartment, believing a man they were investigating had been using her apartment to sell drugs. The officers used a battering ram in the middle of the night to enter the apartment. Fearful, Taylor's boyfriend fired his gun once, hitting an officer in the thigh. Police responded with 32 rounds of ammo, killing Taylor.

On May 25, Minneapolis police detained George Floyd, a black man, on suspicion of passing a counterfeit bill. Derek Chauvin, a white police officer, pinned Floyd face-down on the ground while kneeling against his neck for nearly nine minutes as onlookers recorded. Floyd died before the paramedics arrived.

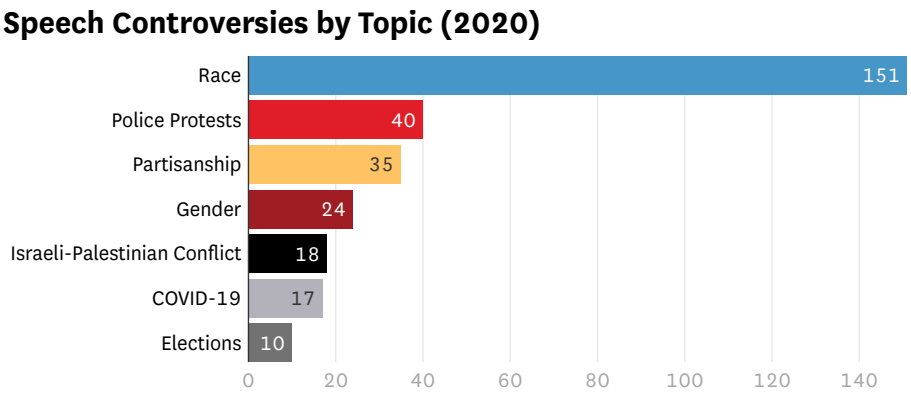
Protests sparked up across the country in response to these and other killings. In the months that followed, corporate America, professional sports, and journalism responded in various ways to growing concerns over racial inequities, and institutions and municipalities removed or renamed more than 100 Confederate symbols. The country was undergoing a cultural shift, with some terming it a "racial reckoning."

WHAT SPEECH WAS TARGETED?

Despite the closure of most campuses and a move to distance-learning in response to the COVID-19 pandemic, 2020 saw a record number of controversies involving students — 250. By comparison, FIRE's Scholars Under Fire and Campus Deplatforming databases recorded 158 and 61 controversies in 2020, respectively. Among these student controversies, the majority (60%) were related to speech about race. The next most controversial topic was police protests (16%), which in 2020 were likely about race too.[8]

Race was such a controversial topic in 2020 that, despite the onset of a global pandemic and an upcoming presidential election, controversies regarding student speech about COVID-19 (7%), elections (4%), or partisanship (14%) were minimal. This is consistent with results from FIRE's 2021 College Free Speech Rankings,[9] which found that 51% of students identified race/racial inequality as a topic that is "difficult to have an open and honest conversation about" on their campus (up from 43% the year before[10]), whereas only 29% said the same about the Coronavirus.

8. Student speech can involve multiple topics, 83% of the police protest controversies were also related to race.
9. Fielded from February 15, 2021 to May 30, 2021.
10. Fielded from April 1, 2020 to May 28, 2020.



2020 was also unique in other ways. For instance, we saw a record-high 163 controversies for individual students and a record-low 89 for student groups. Lockdowns and social distancing initiatives likely caused this anomaly, which prevented student groups from organizing in-person events on campuses. In fact, of the 605 student group controversies across all five years, 45% were related to speech at a planned event, more than any other context.[11]

Regardless of the context, some of the speech controversies would likely provoke offense to many, like Mimi Groves' use of a racial slur, or another student wearing blackface, or yet another that made light of George Floyd's death. Despite explicit disparagement, this speech is protected under the First Amendment. And it is precisely the reason why Noah Wasserman and Jeremy Hermanson used the language they did in the name of scientific inquiry.

As a project for their psychology class at Bridgewater State University, Noah Wasserman and Jeremy Hermanson developed a survey meant to elicit predictable responses from participants to study how the framing of certain issues might shape people's opinions. The survey, which the school's Institutional Review Board approved, alerted students beforehand that it would relate to contentious viewpoints, and included one question which asked, "In your opinion, what does your local community need to do to reduce the escalation of the Black Lives Matter movement?"

Upset and confused by the question, a student taking the survey uploaded a screenshot of the question and tagged the university's X account, asking, "So you guys just let your psychology students make surveys like this?" Students responded to the post with screenshots of similar questions from the survey which framed Black Lives Matter in a negative light, one of which described Black Lives Matter as "a wild beast preying on your local community." One of these posts included Wasserman's and Hermanson's names.

In response, BSU's President and Provost released a joint statement declaring that the university "firmly stands with the Black Lives Matter movement," that they "were deeply sorry for the harm and pain" caused by the survey, and that the Presidential Task Force on Racial Justice would "soon be presenting a series of recommended actions that the university should take to ensure that its values of diversity, inclusion and equity are included prominently in all aspects of the work of the institution."

They concluded by thanking students for their "vigilance."

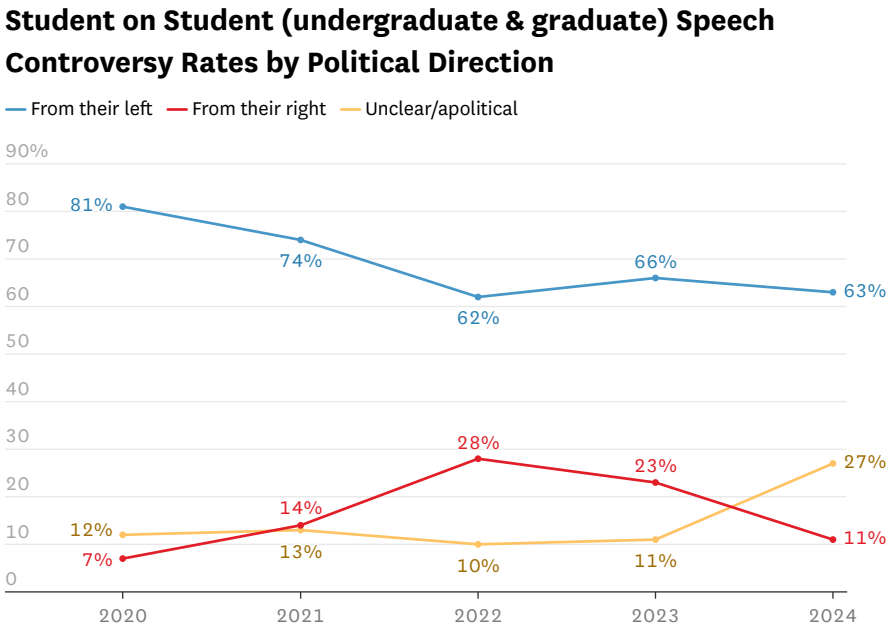
11. By comparison, only 21% (19 entries) of the record-low student group entries in 2020 were related to speech that occurred at events.

WHO INITIATED THESE EFFORTS?

From 2020 through 2022, student "vigilance" was responsible for 54%[12] of all calls to punish students and student groups. When it came to controversies involving speech about race, this jumped to 65% overall — and 82% in 2020.

Liberal students not only outnumber conservative students on campus but are also more likely to support reporting classmates to their administration for what they consider offensive speech. Furthermore, students most frequently identified racial inequality as being difficult to have an open and honest conversation about (51%), with the George Floyd protests not far behind (43%), according to FIRE's 2021 College Free Speech Rankings. Conservative students selected each topic at higher rates than their liberal counterparts.

Given this, it was unsurprising to find a political imbalance over these three years. The Students Under Fire data show that 55% of calls for punishment came from the left of the targeted student or student group. Among just attempts initiated by students' peers, this jumps to 72%.



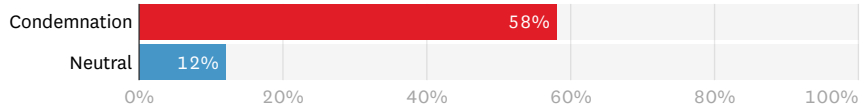
12. Attempts initiated by either undergraduate students or graduate students.

HOW DID ADMINISTRATORS RESPOND?

With students calling upon their institutions to be active participants in combating racism, administrators felt pressured to respond in some way. And respond they did, by punishing 69% of all students and student groups involved in speech controversies about race in 2020 and issuing public statements of condemnation in 58% of these.

Overall, administrators released a public statement of condemnation[13] in almost two-fifths (38%) of all speech controversies in 2020, far more than in any other year. This was likely because higher education was under immense pressure at the time to respond, as other industries had, to the "racial reckoning." While some institutions would do little beyond these one-off statements, others like Antioch University in Seattle fully embraced the call to action.

Administrative Statements In Response to Speech Controversies About Race by Tone (2020)



Following the death of George Floyd in 2020, Antioch infused social justice activism into its Clinical Mental Health Counseling master's program. In 2022, Antioch reportedly required students to endorse a "civility pledge" which stated:

> I acknowledge that racism, sexism, heterosexism, classism, ableism, ageism, nativism, and other forms of interpersonal and institutionalized forms of oppression exist. I will do my best to better understand my own privileged and marginalized identities and the power that these afford me.

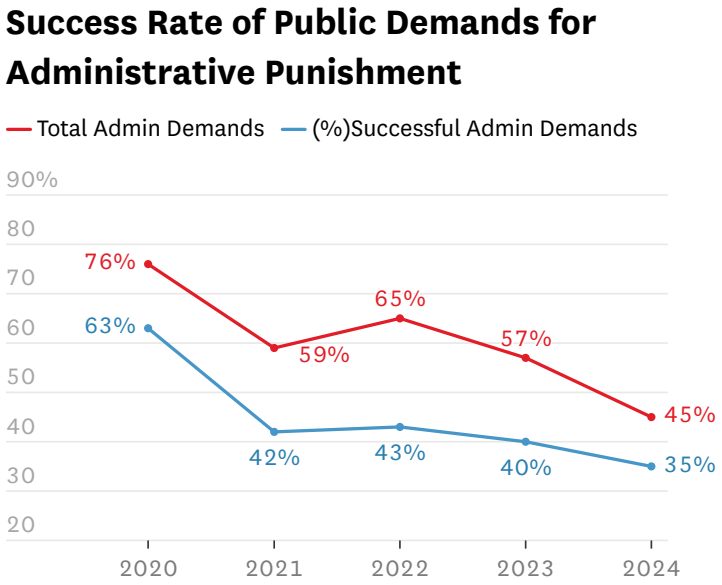
This upset Leslie Elliott, who only had to complete a few more courses before graduating. Elliott, a self-described political liberal, told reporters that the pledge "really felt like a purity test to me" and that "I felt compelled to confess to this worldview that sees myself as an intersectional group of identities that have privilege and marginalization attached to them." She went on, saying that she didn't agree with this framework, and that "[i]t feels like a theology, and it's not my theology."

She took to YouTube to share her concerns with others, criticizing the program for what she saw as a departure from science and best practices in favor of a particular brand of activism. Shortly thereafter, the university reportedly cut Elliott off from all student resources, and its Counseling Department released a statement reading in part:

13. A statement may earn multiple grades. This percentage refers to statements including a condemnation grade. See methodology for how administrative statements are graded.

> We are aware of material posted online, by one person, expressing white supremacy, transphobia, and other harmful ideologies in direct opposition to our professional ethical guidelines as counselors.
>
> ...
>
> Students, along with faculty and staff, are encouraged to refrain from engaging in unproductive dialogue via social media. Watching this misdirected video will have the unintended consequences of giving more power to this voice.

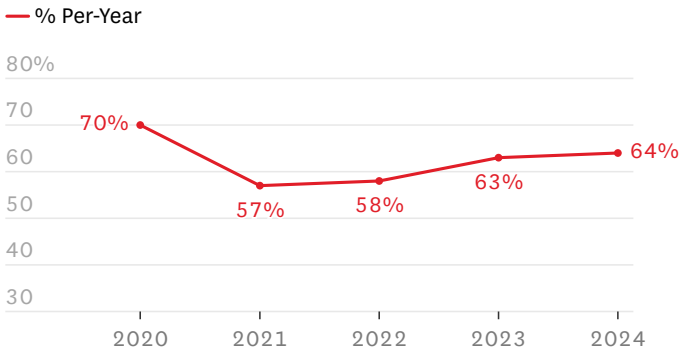
Administrators punished Elliott and 173 other students from 2020 through 2022, despite there being no public demands to do so. However, more often than not student punishments did involve such demands, as was the case for Mimi Groves, Noah Wasserman, Jeremy Hermanson, and 216 others. When faced with public demands to punish their students, college and university administrators capitulated to some degree half of the time from 2020 through 2022. In 2020, they did so nearly two-thirds of the time.



Overall, 6 in 10 students (or student groups) in the Students Under Fire database from 2020 through 2022 received at least one administrative punishment. This includes the investigation of 393 students and student groups; censorship of 164; separation of 47 from the institution or its funding[14] (with another 18 unenrolled under ambiguous circumstances); the mandating of some form of training or behavior modification for 33; suspension of 31; and the termination from five on-campus jobs.

14. Expelling a student, revoking a student's admissions offer, or denying/rescinding recognition of a student group.

Rate of Speech Controversies with an Administrative Punishment



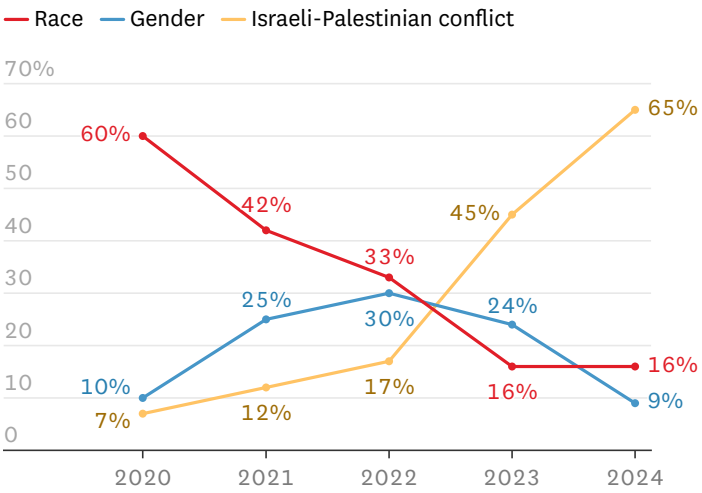
A LOOK AHEAD

From 2020 through 2022, students demanded intolerance of perceived intolerance, particularly when it came to speech on the topic of race. However, with each year the percentage of incidents involving speech about race decreased, while those involving speech about gender increased.

Following the Supreme Court overturning Roe v. Wade in 2022 and an escalating national debate about Title IX protections for transgender athletes in women's sports, it looked like gender would replace race as the main topic of controversy in 2023 and beyond.

But then the winds shifted.

Trends in Student Speech Controversies by Topic



2023: OCTOBER 7 AND THE ISRAELI-PALESTINIAN CONFLICT

BACKGROUND

There is a long history of student protests in the United States. For instance, in the 1920s, students at Fisk University protested against their president's censorship of magazines, prohibition of dating and dancing, and for reportedly seeking an endowment from a foundation supportive of Jim Crow laws.

In the 1960s, the civil rights group Student Nonviolent Coordinating Committee (later, the Student National Coordinating Committee) protested against racial segregation and organized voter registration campaigns in southern states. And students at the University of California, Berkeley led what would become known across the country as the Free Speech Movement.

The 1970s weren't any quieter, beginning with the tragic killing of four anti-Vietnam War student protesters at Kent State University by the National Guard. Additionally, students across the country organized protests against apartheid in South Africa, which continued into the 1980s.

In 2023, a new wave of mass student protests began.

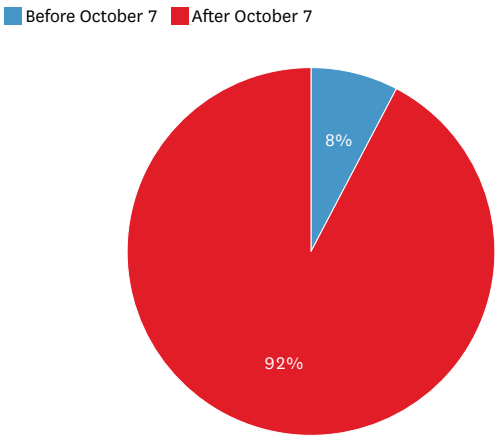
On the morning of Oct. 7, 2023, Hamas launched a surprise attack on Israel. Hamas breached military facilities, raided border towns, and ambushed a music festival. They took hundreds of hostages, and unverified reports emerged that they had even beheaded dozens of babies during the course of their offensive. In the weeks and months that followed, Israel responded with military ground operations in Gaza, which President Joe Biden later referred to as "indiscriminate bombing." Though the exact death toll from the war is unknown, as of this writing, it has been estimated to be in the tens of thousands, with some accusing Israel of genocide.

The Israeli-Palestinian conflict more broadly has long polarized people the world over, but following the Oct. 7 attacks and Israel's military response, protests erupted on college campuses as students across the country passionately expressed views on the topic like never before. This was the beginning of what some have called "perhaps the most significant student movement since the anti-Vietnam campus protests of the late 1960s."

WHAT SPEECH WAS TARGETED?

The uptick in campus speech controversies in response to the war in Gaza was dramatic. Two in five (41%) student speech controversies in 2023 involved speech students made about the Israeli-Palestinian conflict after the Oct. 7 attacks.

Speech Controversies Related to the Israeli-Palestinian Conflict, Pre- and Post-October 7 (2023)



Oct. 7 marked a dramatic shift in campus culture, with 55% of students surveyed in FIRE's latest College Free Speech Ranking[15] identifying the Israeli-Palestinian conflict as a topic that is "difficult to have an open and honest conversation about" on campus, up from 26% the year before. The Israeli-Palestinian conflict also overtook race as the topic most likely to produce an entry in the Students Under Fire database.[16] Since Oct. 7, 2023 (and through 2024), 203 students and student groups have been targeted for or punished by their administration for speech about the topic.

WHO INITIATED THESE EFFORTS?

With the war in Gaza capturing Americans' attention, student speech about the Israeli-Palestinian conflict came under increased scrutiny, but the calls for punishment came more from others than from the students themselves. Whereas students had demanded that administrators punish their peers in more than half of all controversies in the three years prior, in 2023, they initiated attempts in only 39% overall, and only 25% of those that involved speech about the Israeli-Palestinian conflict.

Administrators, meanwhile, took up the mantle as the most frequent source initiating punishment against students and student groups (see Source(s) of Attempts to Punish Students). To be clear, multiple sources can initiate attempts to punish students. Additionally, the Students Under Fire database classifies those making demands to administrators as the source(s) of the demands, but when administrators punish students without publicly documented demands, they are clearly the source.

15. Fielded from January 25, 2024 through June 17, 2024.
16. In some circumstances, speech about the Israeli-Palestinian conflict could include a racial and/or religious component. However, unless speech about the conflict is explicitly expressed in and/or targeted for these terms, the database treats the conflict itself as the topic of expression.

There are likely a number of reasons for this shift. For starters, it's possible that compared to earlier years when social distancing pushed student speech online, such speech was now back on campus within administrators' purview, thereby eliminating the need to be alerted by other sources. Alternatively, given the tense climate around the Israeli-Palestinian conflict, students may have felt fearful of publicly demanding punishment against their classmates and opted instead to submit complaints to administrators privately through reporting portals. Another is that instances of violence and vandalism may have led to an administrative overreaction to avoid either a Title VI lawsuit or Department of Education investigation. Other reasons may include wanting to ward off public relations concerns, and/or appeasing alumni and donors who applied pressure behind-the-scenes.

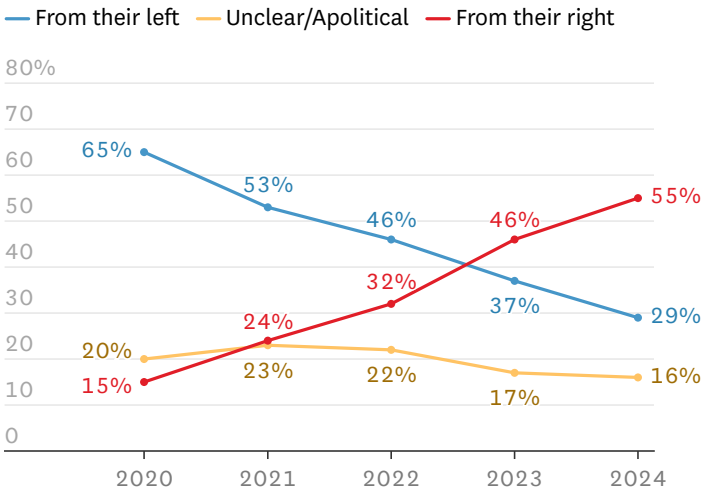
One of the more concerning possibilities is that administrators reacted with preemptive fear of retaliation from government officials and politicians who, in 2023, initiated a record 20 attempts to punish students for their speech (10% of entries). With President Donald Trump (then a former president and current presidential candidate) promising to revoke the visas of "anti-Semitic" international students and Rep. Elise Stefanik's (R-NY) grilling of the presidents of Harvard, UPenn, and MIT during a congressional hearing on campus anti-Semitism, it's little surprise that politicians or government officials took part in nearly one in five (17%) entries involving speech about the Israeli-Palestinian conflict in 2023, all of which were in response to speech about Jewish/Israeli people.

Though the reason(s) for the rise in administrators as the source is speculative, the drop in student demands to punish other students appears a little more clear-cut. Numerous studies show that young adults' views on the Israeli-Palestinian conflict differ drastically from those of older generations. FIRE's survey data from its most recent College Free Speech Rankings survey reveal that a greater percentage of students say they are more sympathetic toward Palestinians than Israelis (40% vs. 10%), while results from FIRE's National Speech Index[17] show that the general public is more opposed to student protests in response to Israel's actions in Gaza than they are supportive (40% vs. 28%).[18]

Survey data also show that those identifying left-of-center both among college students and the general public have a more favorable view of Palestinian people. So it is unsurprising that in 2023, for the first time, more students and student groups were targeted or punished from their right than from their left, particularly when it came to expression about the Israeli-Palestinian conflict (88% vs. 9%).

17. Fielded from July 5, 2024 through July 10, 2024.
18. Percentages refer to those who "somewhat oppose" or "strongly oppose" the protests versus those who "somewhat support" or "strongly support" them.

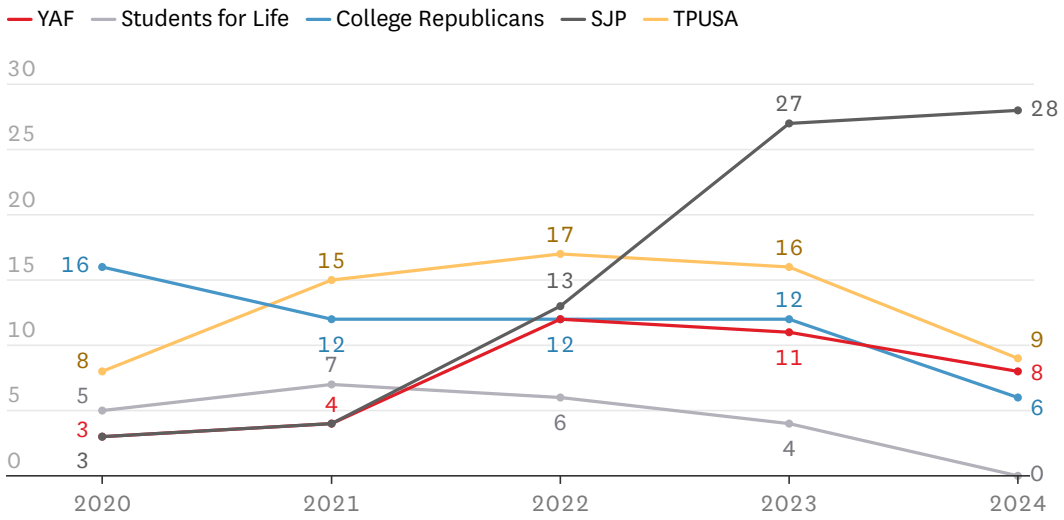
Speech Controversies by Political Direction



One student group in particular was involved in numerous speech controversies: Students for Justice in Palestine (SJP). In the days following the Oct. 7 attacks, SJP's parent organization distributed a "toolkit" that referred to the attacks as a "historic win for the Palestinian resistance" and prescribed suggested talking points to campus chapters. One of those talking points read: "[w]e as Palestinian students in exile are PART of this movement, not in solidarity with this movement." On the other hand, before late 2023, the most frequently targeted student groups were conservative groups such as the College Republicans, Turning Point USA, or Young Americans for Freedom.[19]

19. Occasionally campus chapters of the same group will be entered in the Students Under Fire database under different names depending on group composition (e.g., Law Students for Justice in Palestine rather than Students for Justice in Palestine) or group preference based on reporting (e.g. Cardinals for Life rather than Students for Life).

Most Targeted or Punished Student Groups Per Year



HOW DID ADMINISTRATORS RESPOND?

In one instance, on Oct. 8, the University of Virginia chapter of Students for Justice in Palestine released a public statement announcing that "yesterday's rebellion was not 'unprovoked'," that these actions were "a step toward a free Palestine," and that "[w]e stand in solidarity with Palestinian resistance fighters and all oppressed people around the world seeking freedom and a better world." Days later, the group received backlash from several Republican politicians including Virginia House Speaker Todd Gilbert, who publicly called upon UVA President Jim Ryan to "condemn this vile statement in the strongest possible terms and to take action."

The next day, Ryan would release a statement, but not the kind Gilbert had requested. Instead, Ryan declared:

> There is no question that this attack and its aftermath have stirred deep emotions within this community, including sadness, fear, grief, and anger. They have also stoked division and rancor around the world along familiar lines of religion and ideology. I trust that we as a community can and will adhere to UVA's longstanding tradition of not just allowing free speech, but promoting civil discourse, even when — perhaps especially when — we strongly disagree.
>
> Individuals in our community are processing these events in their own way, and many are suffering deeply. Asking how we can help, and remembering that we are all here for the purpose of seeking the truth, are useful touchstones for us to support those who are struggling. I have seen our community rise, with strength and grace, to meet challenges we never would have chosen to face. This is another one of those challenges, and I have great faith in this community to build bridges, listen generously, and act with compassion as we work toward a more just and peaceful world.

However, not every administration issued a statement in strong support of free expression. For example, after the Muslim Student Association at CUNY-Queen's College made two November Instagram posts denying and mocking the validity of reports that Hamas had killed babies on Oct. 7, more than 30 mental health professionals sent a letter to University President Frank Wu, telling him that the posts "physically endangers your students and your community by inciting hatred and violence against Jews," and that those responsible "must be penalized."

The next day, Wu announced:

> While we respect and uphold freedom of speech, this same right includes our condemnation of the denial included in these posts of the obvious atrocities that occurred on October 7. We will not hesitate to denounce what is so deeply hurtful, offensive, and damaging.
>
> The Office of Compliance & Diversity is conducting a thorough review and investigation of these matters. Following findings, those who are found to be in violation of policy may be subject to sanction and/or disciplinary action. We have contacted and will continue to cooperate with the NYPD regarding these incidents.

Though statements like Wu's in response to demands were a rarity, college and university administrations still punished nearly two in three (63%) students and student groups in the Students Under Fire database in 2023. By the year's end, administrators had investigated 127 students and student groups; censored 81; suspended 13; mandated some form of training or behavior modification for nine; separated six from the institution or its funding (with another student unenrolled under ambiguous circumstances); and terminated two from their on-campus jobs.

In 2024, FIRE's Students Under Fire database recorded a similar success rate of punishment — 64% — but with fewer entries overall, dropping from 203 in 2023 to 182. This decline might seem surprising — and is likely an undercount — given the wave of administrative crackdowns on spring encampment protests. However encampments can be subject to reasonable time, place, and manner restrictions and students who violate those rules may face arrest or discipline. When that discipline is applied in a viewpoint-discriminatory way it crosses a constitutional line. However, even apparent viewpoint-neutral enforcement by police can raise questions and generate controversy, as was the case at UVA and other schools. These distinctions aren't always clear-cut — and many punishments remain under review or out of public view.

Because of the size and nature of the protests, at the time FIRE chose not to attempt to parse out the constitutionality of each situation. That's why our database likely undercounts students who administrators unjustly punished in 2024. FIRE's 2024 survey on encampment protests[20] underscores this gap: about two-thirds (65%) of students who were disciplined, threatened with discipline, or knew someone who was, say those incidents occurred during campus protests in public spaces like the quad or green.

20. Fielded between May 17, 2024, and June 25, 2024.

CONCLUSION

The Mimi Groves case, like so many others in FIRE's Students Under Fire database, reminds us that free speech isn't just a legal right — it's a cultural value that must be vigilantly defended, especially when passions run high.

The data from 2020 through 2024 reveal how quickly the winds of censorship can shift — from students demanding punishment in the name of social justice to administrators doing so in the name of "safety" or as capitulation to federal pressure. Whether it's about race or the war in Gaza, when institutions give in to calls to punish speech, they undermine the very mission of higher education. The question isn't whether the speech in question is offensive or provocative — sometimes it surely is. The question is whether we are willing to protect the principle of free expression even when doing so is hard. If we aren't, then today's targets could be tomorrow's enforcers — and vice versa.

We've only begun to witness the impacts of the shifting winds. With a new entry each day through the first four months of 2025, the Students Under Fire database is on pace to double last year's total, and that doesn't even factor in the hundreds of international students who have had their student visas revoked, the vast majority of which were the result of pro-Palestinian protests per Secretary of State Marco Rubio.

One of these students is Maryam Alwan, a student at Columbia University who administrators told she was under investigation by the Office of Institutional Equity for authoring an unsigned op-ed in the campus newspaper calling for divestment from Israel. According to the office — which requires students to sign nondisclosure agreements before speaking with investigators or being granted access to case materials — the content of the op-ed may have subjected others to "unwelcome conduct" and could be punishable by expulsion. Alwan later told reporters:

> It just felt so dystopian to have something go through rigorous edits, only to be labeled discriminatory because it's about Palestine. It made me not want to write or say anything on the subject anymore.

Though Columbia's Office of Institutional Equity was created last summer, Alwan's investigation seems related to more recent pressure being exerted on the university by the federal government. Just days after announcing an investigation into Columbia for alleged violations of Title VI, the Trump administration canceled $400 million of its federal funding and demanded significant institutional changes before even considering its restoration, including placing its Middle Eastern, South Asian, and African American Studies Department under "academic receivership." The ad hoc contract cancellation bypassed existing statutory procedures for finding institutions noncompliant with Title VI and is ripe for abuse.

Instead of standing up to government overreach, Columbia capitulated, making a series of sweeping changes to institutional policy, including modifying its disciplinary process, requiring that student protesters present identification when asked, adopting a speech-restrictive definition of anti-Semitism, and expanding its public safety personnel, among others. One week later, the university's interim president resigned.

In the weeks that followed, the Trump administration threatened or froze federal funding at UPenn, Harvard, Brown, Princeton, Cornell, and Northwestern. Though Columbia was the first to comply with the Trump administration's demands, Harvard became the first to refuse, with President Alan Garber announcing on April 14 that "[t]he University will not surrender its independence or relinquish its constitutional rights."

Over the following days, the Trump administration looked into eliminating Harvard's tax-exempt status, limiting its access to student visas, investigating its foreign funding sources, and freezing an additional $1 billion in funding. Unintimidated, Harvard pushed back with an April 21 lawsuit against the Trump administration, inspiring more than 500 college and university leaders to "speak with one voice against the unprecedented government overreach and political interference endangering American higher education." Among the signatories is Columbia's newest acting president, which goes to show that courage is contagious. Only time will tell what this means for higher education, student speech, and academic freedom.

While FIRE will include Maryam Alwan in the Students Under Fire database for 2025, because of its narrow inclusion criteria requiring efforts for institutional punishment, the countless students whose expression may be chilled by these measures will not. Nor would the tens of thousands of international students who authorities investigated under Secretary of State Marco Rubio's "Catch and Revoke initiative," which involves AI-assisted reviews of the social media accounts of student visa holders for alleged terrorist sympathies after Oct. 7. Nor would those chilled by Trump's executive order promising to "protect" citizens from foreign nationals (including international students) who "espouse hateful ideology."

Though the Students Under Fire database is the largest repository of its kind, it only captures a miniscule fraction of the students across the country whose free speech may be imperiled by their campus climate, campus administrators, or the federal government. Still, it shows just how vulnerable students are to institutional pressure, and how susceptible administrators are to public pressure in the name of keeping the peace.

But peace comes at a cost, as the search for truth and the development of one's own identity is not peaceful, and depends on the clash of ideas. Discovery requires the freedom to explore, and as discoverers, students should be given latitude to make mistakes and cause offense. For many students, going off to college will mean leaving their homes for the first time, away from their established support systems, for a diverse new community of strangers with different experiences and beliefs. They will be challenged both in and out of the classroom, engage with different people and ideas, and try on new identities. They may stumble along the way, and will almost certainly encounter or be responsible for speech others consider "hateful." But granting authority to administrators to deem speech hateful and punish it sets a dangerous precedent; one that will be taken advantage of when it's convenient for them to adapt to the shifting cultural and political winds.

How things will shift five years from now is anyone's guess, but the hope is that it will shift in favor of student speech. Students themselves can lead the charge by advocating for this change, and administrators can pave the way by reforming expressive policies to align with First Amendment standards and by refraining from disciplining students in the face of controversy and even in the face of substantial federal pressure.

On these matters and all things free speech, FIRE stands ready to help.

CITATION

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ABOUT FIRE

The Foundation for Individual Rights and Expression (FIRE) is a nonpartisan, nonprofit organization dedicated to defending and sustaining the individual rights of all Americans to free speech and free thought. These rights include freedom of speech, freedom of association, due process, legal equality, religious liberty, and sanctity of conscience — the most essential qualities of liberty. FIRE also recognizes that colleges and universities play a vital role in preserving free thought within a free society. To this end, we place a special emphasis on defending these rights of students and faculty members on our nation's campuses, including the right to academic freedom for faculty.

For more information, visit thefire.org or @thefireorg on X.

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