



March 31, 2026

Melissa L. Gilliam
Office of the President
Boston University
One Silber Way, 8th Floor
Boston, Massachusetts 02215

Sent via U.S. Mail and Electronic Mail (president@bu.edu)

Dear President Gilliam:

FIRE¹ writes to you today to urge Boston University to immediately cease ordering faculty to remove flags from their office windows.² Contrary to the university's assertions, faculty members hanging expressive flags in their windows does not constitute speech on behalf of the university. Instead, such displays convey to the public that BU's faculty is a richly diverse body with a plethora of viewpoints. We accordingly urge the university to refrain from forcibly removing any flags, and enforce its reasonable time, place, and manner restrictions in a way that does not subsume individual speech as that of the university.

Over the past several weeks, BU administrators have removed flags displayed by several faculty members in their office windows.³ One faculty member, Elizabeth Bettini, returned to campus after some time away to find that a university employee entered her office and removed the Pride flags she hung in her window. She also found that the employee had left behind a notice stating that BU community members "are welcome to display signs, posters, or flags on authorized bulletin boards or on interior walls of their private offices, provided they are not affixed or otherwise displayed through outward-facing windows or doors."⁴

Addressing the situation at an event on campus on March 19, you stated that if faculty members "have the privilege of having a window that faces campus, [they] don't get the privilege of

¹ As you may recall from prior correspondence, the Foundation for Individual Rights and Expression is a nonpartisan nonprofit dedicated to defending freedom of speech. You can learn more about our mission and activities at fire.org.

² The recitation of facts here reflects our understanding of the pertinent information. We appreciate that you may have additional information to offer and invite you to share it with us

³ Emma Pettit, *Can You Hang a Pride Flag in Your Office Window? This University Says No.*, CHRON. OF HIGHER EDUC. (Mar. 24, 2026), <https://www.chronicle.com/article/can-you-hang-a-pride-flag-in-your-office-window-this-university-says-no>.

⁴ Notice: Posting on Outward Facing Window or Door (Mar. 12, 2026) (on file with author).

speaking for the university.”⁵ You added that being a part of a university community “means that people have lots of different ideas and the privilege of being in an academic community is you get to say what you want no matter how wrong headed it is.”⁶

While the latter of these statements is certainly true, the display of flags in faculty members’ windows is a demonstration of this diversity of viewpoint, not a conflict with it. BU appears to have an overly broad reading of what constitutes university speech. Indeed, BU states that freedom of speech and expression are central to its mission. The university commits “to the academic freedom of its faculty” and “to preparing students to engage thoughtfully, openly, and effectively in disagreement and debate.”⁷ It also commits “to creating and maintaining a community that invites the full participation of all people and the expression of all viewpoints.”⁸

Political speech, including political flags like the ones displayed by professors, is at the core of freedom of expression.⁹ In striking down a rule prohibiting the display of residential signs, the Supreme Court observed that such signs are a “venerable means of communication that is both unique and important.”¹⁰ No reasonable onlooker could be misled into believing that Boston University has chosen to make official statements through signs placed in one of dozens of windows across numerous university buildings. Indeed, the plethora of flags and other window signage expressing support for or opposition to various political causes reduces the likelihood that passersby will think that any one of the many diverse signs represents the university’s singular message. Permitting signs of differing views is a sign of a lively culture of debate and demonstrates to the reasonable observer that no one professor’s sign constitutes BU’s official speech.

To be sure, BU has an interest in ensuring that expressive policies account for the minimal risks posed by the display of flag displays, such as the risk of fire—risks like those posed by curtains or blinds. But to be consonant with an environment of free speech, such policies must be reasonable time, place, and manner restrictions that are “narrowly tailored” and “leave open ample alternatives for communication of the information.”¹¹ Such restrictions are “narrowly tailored” when they do not “burden substantially more speech than is necessary” to further BU’s “legitimate interests.”¹² Here, ordering all displays to be taken down simply because they

⁵ Surevon Lee, *Following outcry, BU president defends removing pride flags*, WBUR (Mar. 19, 2026) <https://www.wbur.org/news/2026/03/19/following-outcry-bu-president-defends-removing-pride-flags>.

⁶ *Id.*

⁷ *Statement on Free Speech and Expression*, BU, <https://www.bu.edu/about/about-free-speech-and-expression/> [https://perma.cc/JR6G-SFH7].

⁸ *Id.*

⁹ As a private institution, the First Amendment does not apply to BU. But given the university’s strong commitments to free expression, court decisions concerning the scope of the First Amendment’s protections for free speech inform students’ and faculty members’ reasonable expectations regarding the meanings of the university’s commitments to protect free expression on campus.

¹⁰ *City of Ladue v. Gilleo*, 512 U.S. 43, 54–55 (1994).

¹¹ *Ward v. Rock Against Racism*, 491 U.S. 781, 791 (1989) (internal citations and quotations omitted).

¹² *Id.* at 798–99.

face the outside world oversteps BU's interest in regulating speech made on behalf of the university. Official university announcements, position statements, and viewpoints are not typically published in faculty office windows, and the sheer multitude of messages and causes represented on the flags hung at BU only further indicates that the flags do not constitute the opinions of a singular university voice.

Finally, reports that Pride flags are being taken down while other flags remain up raise concerns about potential viewpoint discrimination, an "egregious" form of censorship.¹³ Simply put, BU cannot target specific expression because it dislikes the message being conveyed. In the context of colleges and universities, the "desire to maintain a sedate academic environment does not justify limitations on a teacher's freedom to express [themselves] on political issues in vigorous, argumentative, unmeasured, and even distinctly unpleasant terms."¹⁴

The vibrant tradition of faculty hanging expressive flags is indicative of a robust campus community where community members can express their views on the vital issues of the day. We request a substantive response to this letter no later than April 14, 2026, affirming that BU will cease its removal of faculty expressive flags and commit to enforcing its time, place, and manner policies in a reasonable manner.

Sincerely,



Graham Piro
Faculty Legal Defense Fund Fellow, Campus Rights Advocacy

¹³ *Rosenberger v. Rector & Visitors of the Univ. of Va.* 515 U.S. 819, 829 (1995).

¹⁴ *Rodriguez v. Maricopa Cnty. Comm. Coll. Dist.*, 605 F.3d 703, 708–09 (9th Cir. 2010) (quoting *Adamian v. Jacobsen*, 523 F.2d 929, 934 (9th Cir. 1975)).