



Foundation for Individual Rights in Education

601 Walnut Street, Suite 510 • Philadelphia, Pennsylvania 19106
T 215-717-3473 • F 215-717-3440 • fire@thefire.org • www.thefire.org

Greg Lukianoff
PRESIDENT

Robert L. Shibley
SENIOR VICE PRESIDENT

William Creeley
DIRECTOR OF LEGAL AND
PUBLIC ADVOCACY

Adam Kissel
VICE PRESIDENT OF
PROGRAMS

Alan Charles Kors
CO-FOUNDER AND
CHAIRMAN EMERITUS

BOARD OF DIRECTORS

Harvey A. Silverglate
CO-FOUNDER AND
CHAIRMAN

Barbara Bishop
Rebecca Dunn
Richard Losick
Joseph M. Maline
Marlene Mieske
Daphne Patai
Virginia Postrel
Daniel Shuchman

BOARD OF ADVISORS

Lloyd Buchanan
T. Kenneth Cribb, Jr.
Candace de Russy
William A. Dunn
Benjamin F. Hammond
Nat Hentoff
Roy Innis
Wendy Kaminer
Woody Kaplan
Leonard Liggio
Herbert London
Peter L. Malkin
Muriel Morisey
Steven Pinker
Milton Rosenberg
John R. Searle
Christina Hoff Sommers

February 3, 2012

President Michael M. Crow
Office of the President
Arizona State University
P.O. Box 877705
Tempe, Arizona 85287

Sent via U.S. Mail, Electronic Mail (Michael.Crow@asu.edu), and Facsimile (480-965-0865)

URGENT

Dear President Crow:

For the last year, the Foundation for Individual Rights in Education (FIRE; thefire.org) has lauded Arizona State University (ASU) as one of the nation's leaders in protecting student free speech rights. Currently, ASU is one of only 16 schools nationwide to get FIRE's highest, "green light" rating for free speech. In light of these distinctions, we hope you will quickly address, for FIRE and the ASU community, the serious concerns for free speech at ASU raised by its decision to block all access to the website Change.org on its network.

This is our understanding of the facts; please inform us if you believe we are in error.

In early December 2011, ASU student Eric Haywood created a petition on the website Change.org calling on ASU to "Reduce The Costs Of Education For Arizona State University Students." On December 7, the creator of the petition announced on his blog that ASU had blocked all access to the site from its servers and network; the entry also stated that "emails sent from any 'change.org' email address to any student or faculty email address ending in 'asu.edu' are also being blocked by Arizona State University." Students at ASU have independently confirmed for FIRE that they are unable to access Change.org on ASU's network.

ASU did not provide any notice or explanation to students when it blocked access to Change.org on its network in December 2011. Late this week, the story began to gain notoriety, and on Thursday night ASU released a statement to *The State Press* confirming that ASU was indeed blocking access to Change.org and citing the university's spam policy for justification. According to the University statement,

ASU began blocking messages from the Change.org server in December after it was discovered as the source of such a spamming action. Although the individual who sent the email may not consider himself a spammer, he acquired a significant number of ASU email addresses which he used to send unsolicited, unwanted email.

While ASU may take certain content- and viewpoint-neutral measures to protect the integrity of its network, the timing of ASU's actions in this case has created the unmistakable impression that ASU has used its spam policy as a pretext to deny access to a petition because of content that is critical of the university and its administration. Even if ASU does have a legitimate interest in blocking "spam" emails originating from Change.org, there is no reason that this would involve blocking access to the website for users of ASU's network. Such action by ASU is wholly inconsistent with ASU's obligations as a university legally and morally bound by the First Amendment. We sincerely hope that this is not the case.

As we write this letter, we are preparing to announce our list of the nation's "best schools for free speech" in a feature for *The Huffington Post*. FIRE was proud to include ASU on this list when we did a similar feature in 2011. However, we cannot in good conscience include ASU on this list in 2012 if this black mark against its recent, otherwise admirable record on free speech continues to stand. We urge you to consider your respect among your peers as a leader in protecting free speech, and the green-light rating that goes with it, and quickly reverse this apparent act of censorship.

FIRE asks that Arizona State University immediately restore access to Change.org on its network and make clear to the ASU community that it will not censor websites that contain material critical of ASU.

We ask for an immediate response to this letter, no later than February 7, 2012.

Sincerely,



Peter Bonilla

Assistant Director, Individual Rights Defense Program

cc:

James Rund, Senior Vice President for Educational Outreach and Student Services
Gordon Wishon, Chief Information Officer