



## 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

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January 7, 2010

President Jehuda Reinharz  
Brandeis University  
Office of the President  
415 South Street  
Waltham, Massachusetts 02451

### **Re: Professor Donald Hindley's case and FIRE's Red Alert list**

Dear President Reinharz:

I am writing to draw your attention to the full-page advertisement that FIRE ran in the most recent "America's Best Colleges" issue of *U.S. News & World Report*. The advertisement appears on page 89, immediately adjacent to the rankings of the top 100 national universities, in the same position our advertisement appeared last year. We have enclosed a copy of the issue for your information. FIRE plans to continue its advertisements in *U.S. News* each year to bring attention to the colleges and universities that make up our "Red Alert" list. The increased traffic the advertisement brings to FIRE's website, [www.thefire.org](http://www.thefire.org), as well as the negative attention it draws to Brandeis University's public image, make it all the more disappointing that FIRE must include Brandeis among the "worst of the worst" for protecting campus liberty for a second straight year.

FIRE takes no pleasure in keeping Brandeis on its Red Alert list. As an organization that prides itself on its ability to quickly resolve disputes, we find it especially disappointing that Brandeis has continued to stand by its unjust actions and willingly imperil the free expression of its students and faculty. FIRE is no less determined, however, to continue to expose and fight abuses of liberty on America's campuses and at Red Alert institutions most of all.

As we have said repeatedly in our letters to Brandeis as well as in numerous press releases and entries on FIRE's blog, *The Torch*, all that Brandeis needs to do to ensure its removal from FIRE's Red Alert list is to bring a just conclusion to Professor Donald Hindley's case. While it is too late to give Professor Hindley the due process and the basic respect for his liberties that the university owed him, it is not too late for Brandeis to remove the letter from his file that declares him guilty of making "inappropriate, racial, and discriminatory" statements in class. Such a degradation of free expression and

academic freedom cannot be allowed to stand, and FIRE will continue to publicly call on Brandeis to remedy this wrong until it does so.

Taking this step will cost Brandeis nothing and will only save the university from the further embarrassment of having to publicly defend its indefensible disregard of Professor Hindley's rights. Brandeis has both a moral and a legal obligation to protect these rights, and it is past time that the university lived up to them.

I would, of course, be happy to speak with you personally about this matter. You may reach me at 215-717-3473 or at [robert@thefire.org](mailto:robert@thefire.org). Thank you for your attention to this crucial issue. I sincerely hope that FIRE will not be sending this letter again in another year's time.

Sincerely,



Robert L. Shibley  
Vice President

Encl.

cc:

Andrew Gully, Senior Vice President for Communications and External Affairs  
Nancy K. Winship, Senior Vice President of Institutional Advancement