A photograph of a classroom. A male teacher in a light-colored shirt and khaki pants stands at the front, pointing at a chalkboard. The chalkboard contains three mathematical equations. In the foreground, several students are seated at desks, with their hands raised in the air, indicating an interactive or question-and-answer session. The students are seen from behind, and their desks have open books and papers on them.
$$d = j + G + a - y(1 + b + bt)$$
$$l = \frac{j + G + a}{d} - \frac{(1 + b + bt)y}{d}$$
$$y = \frac{j - d + G + a}{(1 + b + bt)}$$

  
**FIRE**

FOUNDATION FOR INDIVIDUAL RIGHTS IN EDUCATION

*2010 Annual Report*

## *Mission*

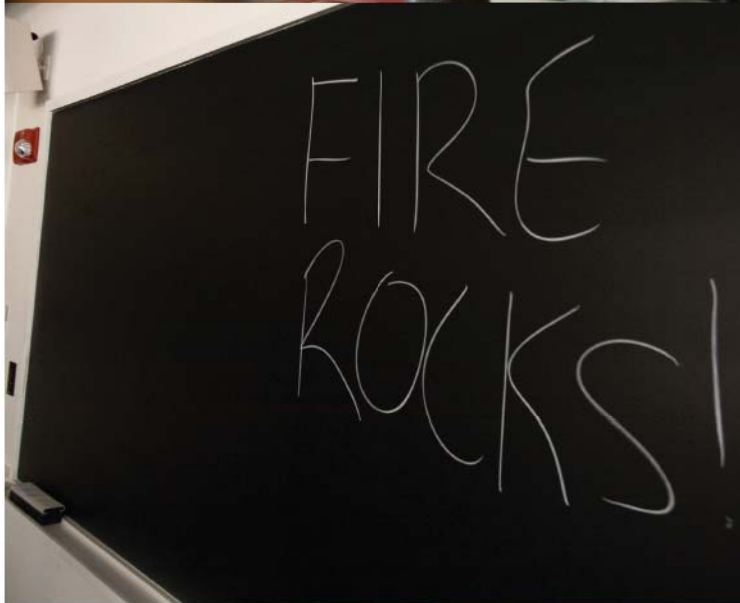
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The mission of FIRE is to defend and sustain individual rights at America's colleges and universities. These rights include freedom of speech, legal equality, due process, religious liberty, and sanctity of conscience—the essential qualities of individual liberty and dignity. FIRE's core mission is to protect the unprotected and to educate the public and communities of concerned Americans about the threats to these rights on our campuses and about the means to preserve them.

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## *A Message from the President*

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The past year was an enormously successful one for FIRE; not only did we win 27 public victories at 26 colleges and secure justice for nearly 600,000 students, but we also stepped up our strategy for “changing the campus culture” and pressed on to create permanent change within higher education. Our approach in 2010 was centered on altering the incentive structure for universities by using both “carrots” and “sticks” to produce positive reforms and long-term results.

These efforts gained significant force in September, when FIRE won a federal civil rights lawsuit through our Legal Network against a former university president on behalf of a student whose First Amendment rights were grossly violated. In what may be the most important legal victory in FIRE’s history, we pierced qualified immunity in higher education and held the former president of Valdosta State University personally financially liable for violating the rights of a student. Piercing qualified immunity is a critical part of FIRE’s larger legal strategy to make college officials respect free speech, due process, and freedom of conscience, whether they want to or not. This victory was a major step forward for individual rights on campus, making clear to universities that there are consequences for restricting liberties.

Throughout 2010, FIRE reminded administrators of their responsibility to respect freedom of expression and to eliminate the culture of censorship that has long prevailed on campus. Our certified mailing to nearly 300 schools served as actual notice that these colleges are violating the Constitution; our legal scholarship established a clear and informed voice on First Amendment issues; our Speech Code Litigation Project maintained its 100% success rate; our “Give Half for Liberty” campaign empowered alumni to effect change at their alma maters; and our ongoing efforts to increase public awareness ensured that violations of liberty were rightfully exposed. All of these efforts created a powerful incentive for schools to change their behavior, their policies, and hopefully, with time, even their attitudes about free speech.

2010 also brought with it a great honor as FIRE was awarded the Ford Hall Forum’s Louis P. and Evelyn Smith First Amendment Award, an honor bestowed upon “individuals or organizations that demonstrate extraordinary commitment to promoting and facilitating the thoughtful exercise of our right to freedom of expression.”

As we look ahead, FIRE will use all of the tactics and technology at our disposal to stay one step ahead of campus censors. We will fight for lasting change. Our campaigns will ensure that FIRE serves as both an ally and an enforcer on campus, helping to acknowledge the good and continually attaching public attention and legal liability to the bad. By educating those on campus, along with the broader public, we can be certain that First Amendment principles will once again become cherished features of our universities. None of this would be possible without your support. We are truly grateful to count you among our allies, and I look forward to another great year ahead.

Yours in liberty,

A handwritten signature in blue ink that reads "Greg Lukianoff". The signature is written in a cursive, flowing style.

Greg Lukianoff



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## ***Individual Rights Defense Program***

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The Individual Rights Defense Program encompasses FIRE’s work to defend civil liberties on behalf of students and faculty members at colleges and universities across America. FIRE engages in defense campaigns at both public and private universities to defend freedom of speech and expression, religious liberty, freedom of association, freedom of conscience, and the right to due process of law. To successfully defend the rights of students and professors from across the ideological spectrum, FIRE provides direct assistance through a full range of resources—legal and policy expertise, fearless advocacy, copious media contacts, and a vast network of exceptional attorneys—to publicly expose institutional abuses, resolve disputes, raise awareness, and help entrenched individuals protect their most fundamental rights on campus.

### **MAJOR DEFENSE CAMPAIGNS OF 2010**

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#### **UNIVERSITY OF GEORGIA**

In a victory for freedom of speech, FIRE won a case at the University of Georgia (UGA) on behalf of student Jacob Lovell, who was threatened with punishment after sending a joking email to the university’s parking services office about the lack of parking spaces for scooters on campus. Although UGA Parking Services specifically asks students for both “negative and positive” comments on its performance, Lovell spent nearly a month under the threat of punishment for “disorderly conduct” and “disruption” after submitting his email.

*above*  
Jacob Lovell

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### HAMILTON COLLEGE

Had FIRE not quickly interceded at Hamilton College, administrators would have required every male freshman to attend a mandatory “intervention” program called “She Fears You” at the beginning of the fall semester. The program intended to force male students to “change their ‘rape-supportive’ beliefs and attitudes.” Of course, those who sexually assault others should face the full force of justice—but colleges like Hamilton have no business forcing their students to admit to personal complicity in a “rape culture.” Facing pressure from FIRE, the college did not enforce mandatory attendance at this intrusive program.

### UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN

In July 2010, FIRE won a particularly outrageous case at the University of Illinois at Urbana-Champaign (UIUC), where Professor Kenneth Howell was dismissed for teaching about Catholic thought in his course *about Catholic thought*. This case created a chilling effect across the entire UIUC campus, sparking an atmosphere in which faculty—afraid of suffering the same fate as Professor Howell—were likely to refrain from challenging students with anything that might possibly offend them. FIRE quickly joined the fight and restored Professor Howell’s rights, reassuring all UIUC professors that their right to free speech and academic freedom would be respected.

*left* Kenneth Howell  
*right* Isaac Rosenbloom

### UNIVERSITY OF SOUTH FLORIDA

Thanks to FIRE’s intervention, the University of South Florida (USF) reversed its denial of recognition to the conservative Young Americans for Freedom (YAF) student group. USF had denied the conservative group recognition on the basis that it was too “similar” to the libertarian student group Young Americans for Liberty, arguing that “no other student organization can exist with the same or similar mission/purpose.” After its application for recognition was denied, YAF turned to FIRE for help, and FIRE wrote to USF clarifying that YAF and Young Americans for Liberty are significantly different in ideology and mission. Soon after, YAF was recognized as a campus group.

### HINDS COMMUNITY COLLEGE

Thanks to FIRE’s intervention, student Isaac Rosenbloom is again able to pursue advanced training as a paramedic now that Hinds Community College has reversed its punishment against him for swearing a single time outside of class. Rosenbloom, who supports his wife and two young children as an emergency medical technician, was found guilty of “flagrant disrespect,” issued twelve demerits,



barred from one of his classes, and denied financial aid—all because he used one curse word in a conversation with a fellow student *outside of class time*. Devastated by the loss of his financial aid, which effectively ended his academic and professional career, Rosenbloom turned to FIRE for help. After FIRE intervened and located attorneys for Rosenbloom, the school rescinded the punishment.

#### **DUKE UNIVERSITY**

In a victory for free speech, Duke University reversed a decision by its Women’s Center that had prohibited a pro-life student group from holding a discussion on student motherhood during the group’s “Week for Life” because of an ideological “conflict.” The group had reserved space for an event featuring a Duke student who has a child speaking about motherhood and the challenges of being both a student and a parent. Only *hours* after FIRE took news of the event’s cancellation public, the director of the Women’s Center guaranteed that a mistake like that would not happen again. This victory reassured all of Duke’s nearly 15,000 students of their right to express themselves freely and to be treated fairly regardless of their beliefs.

#### **UNIVERSITY OF CALIFORNIA, SAN DIEGO**

Facing severe condemnation from FIRE, the University of California, San Diego

(UCSD) restored freedom of the press by ending an ongoing moratorium on funding for student media. The unconstitutional media shutdown—which froze funding for all 33 student media organizations and forced the student television station off the air—was unilaterally enacted by UCSD’s student government president following a controversy over a Facebook invitation that used African-American stereotypes. Just over two weeks after FIRE interceded, the student government voted to restore funding to all student media organizations, reinstating these crucial outlets for dialogue at a time when they were most needed.

#### **TEMPLE UNIVERSITY**

Shortly after FIRE intervened, Temple University withdrew an unconstitutional, after-the-fact security fee levied by the university on a student group for hosting a presentation by Dutch politician Geert Wilders during the previous semester. Temple at first defended the fee and argued that it could have charged the group, Temple University Purpose, more than \$6,000 for the additional security deemed necessary for the controversial event. After FIRE publicized the fee and pointed out that the school’s actions were arbitrary and unconstitutionally burdened speech on the basis of its content, the university dropped its demand for an extra security fee.



## Policy Reform Project

The Policy Reform Project works proactively and systematically to reform college and university policies that violate students' fundamental rights. FIRE staff members review thousands of university policies, target those policies that are particularly egregious, and challenge universities to revise them *before* they are used to punish speech on campus.



### SPOTLIGHT: THE CAMPUS FREEDOM RESOURCE

At the heart of the Policy Reform Project is FIRE's Spotlight: The Campus Freedom Resource, a searchable, online database containing comprehensive information about restrictive speech codes at more than 400 colleges and universities. Students, professors, parents, alumni, journalists, and the general public can quickly and easily search Spotlight for detailed information about the policies maintained by specific academic institutions. No other database or organization has attempted to present such a wealth of information on the state of liberty on our nation's campuses.

### SPEECH CODE OF THE MONTH

Each month, FIRE names a college or university policy as its Speech Code of the Month—a distinction reserved for America's worst speech codes. In 2010, FIRE saw five schools revise their Speech Code of the Month policies, including Bryn Mawr College, where administrators revised a sexual harassment policy that previously prohibited "offensive or degrading remarks" and listed "negative or offensive comments, jokes or suggestions

about another employee’s gender or sexuality, ethnicity or religion” as “specific examples of behavior that are inappropriate.” Since 2005, 27 schools have revised their policies after being named FIRE’s Speech Code of the Month. All of FIRE’s Speech Codes of the Month can be found at [www.thefire.org/scotm](http://www.thefire.org/scotm).

**2011 SPEECH CODE REPORT**

In December, FIRE released its fifth annual speech code report, which revealed that 67 percent of the 390 colleges and universities analyzed maintain policies that seriously infringe upon students’ free speech rights. For the third year in a row, this figure represents a *decrease* in the percentage of schools maintaining unconstitutional policies. While the overall percentage of schools maintaining restrictive policies remains unacceptably high, this trend is an

encouraging sign that colleges and universities across the nation are beginning to pay heed to the dangers of maintaining speech codes.

**POLICY REFORM HIGHLIGHT:  
UNIVERSITY OF VIRGINIA**

In October 2010, the hard work of FIRE’s staff, Campus Freedom Network members, and a former FIRE intern paid off at the University of Virginia (UVA), which eliminated four policies that had unconstitutionally restricted the free speech of students and faculty members. With these reforms, UVA freed its more than 24,000 students (and the countless more who will eventually set foot on campus) from speech codes that were chilling campus discourse and became only the thirteenth school in our Spotlight database that is free from repressive policies—a FIRE green-light school. FIRE wishes to extend a special thanks to Ginny Robinson, whose tireless efforts on the ground helped UVA achieve this rating.



*above*  
**Luke Sheahan**






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## *Legal Transformation Project*

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The Legal Transformation Project encompasses FIRE’s efforts to encourage college and university administrators to reform restrictive speech policies and to stop acts of censorship. The project works to do this both through increased advocacy efforts, including outreach letters, presentations at conferences, and the publication and distribution of resources for school officials, and through increased incentives for administrators to promote free expression on their campuses. Additionally, through the submission of *amicus* briefs in strategically chosen cases that are vital to keeping First Amendment rights strong on campus and through FIRE’s qualified immunity initiatives, which seek to impose *personal legal and financial liability* upon administrators who abuse students’ constitutional rights, FIRE’s Legal Transformation Project aims to make administrators respect free speech, due process, and freedom of conscience.

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### **MAJOR ACHIEVEMENT: FIRE PIERCES QUALIFIED IMMUNITY**

In late 2010, in one of the most significant legal victories for students’ rights in recent years, FIRE successfully pierced the “qualified immunity” defense of Valdosta State University’s former president, who had violated the First Amendment and due process rights of one of his students. This means that a federal court held him *personally* liable and that he may have to pay out damages *from his own pocket* for violating the

rights of one of his students. This is a huge victory for FIRE and all those with a stake in America's higher education system.

Piercing qualified immunity is a critical part of FIRE's larger legal strategy. If upheld on appeal, this decision will finally give university counsel real reason to take sides against speech codes, and it ought to give great anxiety to administrators who might otherwise be tempted to pass or enforce speech codes. Administrators may now face tangible personal consequences if they knowingly violate student rights—a development that has set the stage for a significant rebalancing of the incentive structure on our nation's campuses in 2011.

#### **FIRE AUTHORS AMICUS BRIEFS**

In December 2009, FIRE filed an *amicus* brief that played a substantial role in the United States Court of Appeals for the Third Circuit's decision to strike down unconstitutional speech code policies maintained by the University of the Virgin Islands and to uphold a lower court's invalidation of a policy that forbade causing "mental harm" or demeaning or disgracing any person. The Third Circuit's opinion in *McCauley v. University of the Virgin Islands* also usefully spelled out the sharp distinction between the relatively limited First Amendment rights afforded to high school students and the robust right

to freedom of expression enjoyed by college students, a crucial difference ignored by the lower court and argued at length in FIRE's brief.

In November 2009, FIRE submitted an *amicus* brief to the Nebraska Supreme Court on behalf of student Darren Drahota, who was convicted for breach of the peace for sending two anonymous emails to his professor. In September 2010, Nebraska's high court overturned the conviction on First Amendment grounds and exonerated Drahota, securing a win for the First Amendment. The ruling recognizes and upholds the right of citizens to engage in charged political discourse and debate, even when that debate is harsh, rude, unpleasant, anonymous, or unforgiving.

#### **SUPREME COURT RULES IN CHRISTIAN LEGAL SOCIETY V. MARTINEZ**

In the summer of 2010, in a 5-4 decision, the Supreme Court dealt a significant blow to freedom of association and religious liberty on campus by determining that in certain narrow circumstances, a university may force student organizations to admit members and even leaders who may be hostile to the group's expressive purpose. However, FIRE took such a strong and well-publicized stance against the ruling in *Christian Legal Society v. Martinez* that, when

the fall semester began, administrators knew we were watching—and to FIRE’s knowledge, as of the end of 2010, no campuses have adopted the bad policies we feared would result from this decision. We firmly believe that this is due at least in part to FIRE’s awareness efforts, which gave administrators reason to think twice before implementing new limitations on freedom of association.

**CONTINUING LEGAL EDUCATION COURSES**

For the first time, FIRE hosted Continuing Legal Education (CLE) courses in 2010. Through these courses, we are able to generate increased awareness of and enthusiasm for FIRE’s cause within the legal community and to attract trained and motivated new lawyers to join FIRE’s Legal Network. Held in FIRE’s hometown of Philadelphia and in New York City, our CLE course “Free Speech 101: Protecting Free Expression and the First Amendment at Our Nation’s Colleges and Universities,” provided participating attorneys with an in-depth survey of the state of the law on campus free speech.

**JUSTICE ROBERT H. JACKSON LEGAL FELLOWSHIP**

The Justice Robert H. Jackson Legal Fellowship provides recent law school graduates with an opportunity to work closely with FIRE attorneys to author legal scholarship related to FIRE’s work. Each new piece of legal scholarship about relevant FIRE issues contributes crucial intellectual ammunition to the fight to restore liberty to our nation’s campuses, while also training a young legal scholar to go out and fight on behalf of campus liberty.

FIRE’s current Jackson Fellow, Erica Goldberg, a graduate of Stanford Law School, has contributed the following articles:

“Measuring a ‘Degree of Deference’: Institutional Academic Freedom in a Post-*Grutter* World” Published November 2010, *Santa Clara Law Review*

By resolving the ambiguities presented by the Supreme Court’s decision in *Grutter v. Bollinger*, this article establishes a framework for affording institutions deference for their decision making. Institutions may invoke academic freedom only for decisions that are truly academic and do not trample upon the First Amendment rights of students and faculty, and should receive different amounts of deference depending on which body

*right Erica Goldberg*





within the institution is making the academic decision at issue.

“Must Universities ‘Subsidize’ Controversial Ideas?: Allocating Security Fees When Student Groups Host Divisive Speakers” Accepted for publication, *George Mason University Civil Rights Law Journal*

This article suggests viewpoint-neutral rules to govern the assessment of security fees so as not to punish student groups who wish to sponsor a controversial speaker’s visit to campus.

Also in 2010, the *Cardozo Public Law, Policy & Ethics Journal* published an article written by FIRE’s former Jackson Fellow Azhar Majeed, titled “Putting Their Money Where Their Mouth Is: The Case for Denying Qualified Immunity to University Administrators for Violating Students’ Speech Rights.” This article argues that courts should not grant qualified immunity to university administrators when they are sued for monetary damages in their personal capacity for violating students’ free speech rights because the law is so clearly established with respect to First Amendment rights on campus.

### **SPEECH CODE LITIGATION PROJECT HIGHLIGHT: TARRANT COUNTY COLLEGE (TCC)**

In March 2010, FIRE won its seventh straight victory in FIRE’s Speech Code Litigation Project, which works to achieve precedent-setting litigation in defense of the First Amendment. The victory came after a federal district court in Texas ruled that a number of restrictions on students’ speech at TCC were unconstitutional. Prior to the ruling, the school had repeatedly violated the rights of student protesters who intended to participate in an “empty holster” protest organized by Students for Concealed Carry on Campus, a national pro-concealed-carry organization. The students were told that they could not wear the holsters anywhere on campus and had to confine all protests to a tiny “free speech zone”—a twelve-foot slab of concrete. Ultimately, with help from FIRE, the students filed a lawsuit to vindicate their rights and defeat TCC’s unconstitutional policies and practices. The U.S. District Court upheld the students’ right to wear empty holsters as part of their protest and ruled that a new TCC ban on “cosponsorship” of campus activities was unconstitutional.



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## *The Campus Freedom Network*

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FIRE’s Campus Freedom Network (CFN) connects students and professors from across the country who are committed to defending liberty on their campuses. Since it was founded in 2006, the CFN has grown to include more than 4,300 students, faculty, and alumni. In 2010, CFN members promoted open discourse on their campuses by distributing copies of FIRE’s *Guides to Student Rights on Campus*, hosting FIRE speakers at their schools, publishing op-eds and letters to the editor challenging their campuses’ speech codes, and holding thought-provoking events to teach students about their free speech rights. CFN members represent more than 1,450 schools, and their growing influence is changing the culture on campus and encouraging open debate across the country.

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### **THE CAMPUS FREEDOM NETWORK SUMMER CONFERENCE**

FIRE hosted its third annual Campus Freedom Network Summer Conference in July 2010. More than fifty students from across the country congregated at Bryn Mawr College to hear from FIRE’s staff and some of the leading advocates of free speech on campus, including University of Massachusetts at Amherst professor and FIRE Board of Directors member Daphne Patai; Board of Directors Chairman Harvey Silverglate; Senior Counsel for the Alliance Defense Fund Greg Baylor; and Brookings

*above left* CFN Attendees  
*above middle* Daphne Patai, Greg Baylor,  
Adam Kissel, Greg Lukianoff  
*above right* Student Attendees

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Institution Scholar and author of *Kindly Inquisitors: The New Attacks on Free Thought* Jonathan Rauch, who delivered a powerful keynote address.

Students learned how to use social media and film to expose campus censorship, listened to the stories of students involved in past FIRE cases, and participated in breakout sessions focused on advancing student activism and developing reform campaigns on their own campuses. After the conference, students were asked to complete a survey about their experience, and every student rated the conference as either a 4 or 5 out of 5 in terms of usefulness. FIRE looks forward to working with these bright and engaged students to advance liberty on their campuses throughout the remainder of their higher education careers.



## INTERNSHIP

FIRE's 2010 Internship Program, a ten-week summer program, provided seven undergraduate students and one law student with direct experience in the defense of civil liberties and with valuable educational opportunities, including attending FIRE's summer conference and participating in academic seminars with FIRE's leadership. The interns were active members of student organizations including the Federalist Society, Students for Liberty, the Burke Society, and Young Americans for Liberty, and two even had direct experience combating campus censorship in FIRE's cases at Bucknell University and at the Community College of Allegheny County. We were very lucky to have them.

Left to Right: Kirby Thomas, Bucknell University; Nico Perrino, Indiana University–Bloomington; Cynthia Bell, Seton Hall University; Sarah Klein, University of Pennsylvania; Christa Brashier, Indiana University of Pennsylvania and the Community College of Allegheny County; Casey Given, University of California, Berkeley; Virginia Robinson, University of Virginia. Not Pictured: Legal Intern Meghan Grizzle, Harvard Law School

## “FREEDOM IN ACADEMIA” STUDENT ESSAY CONTEST

Through our annual essay contest, FIRE encourages high school seniors





including on-campus speeches and major student conferences like the National College Media Convention, the International Students for Liberty Conference, and the Conservative Political Action Conference. The Speakers Bureau is a crucial tool for FIRE to spread our message on campus, and we are proud that our engaging staff is in such high demand.

to learn about FIRE’s issues and evaluate the state of free speech in higher education through a 700-1,200 word essay. The winners receive college scholarships. Not only is FIRE helping liberty-minded high school students afford college, but by promoting the contest, we are also reaching hundreds of thousands of high school students with FIRE’s “know before you go” message, informing them of their rights and how to defend them before they set foot on campus—the very place those rights are most at risk. Congratulations to our 2010 winners!

First prize: Kristen Lemaster  
 Second Prize: Mollyanne Gibson  
 Runners Up: Abigail Averill, Zach Beims, Miriam Creach, Adam Spangler, and Jackson Wilson

**FIRE’S SPEAKERS BUREAU**

FIRE works to change the culture of college censorship by talking to student audiences directly about their rights on campus. In 2010, FIRE speakers addressed students at 30 events,

**STUDENT ACTIVISM HIGHLIGHT: PEPPERDINE UNIVERSITY**

Michelle Fields from Pepperdine University and her College Libertarians group set up a “Free Speech Wall” to celebrate Constitution Day in September. For a week, poster paper hung on a wall in a well-traveled area of campus, and students could write whatever they liked as an exercise of anonymous speech. Hundreds of comments were added during the week, until the wall was torn down by an offended student. After the vandalism, Michelle wrote to FIRE, “Someone tried to silence us, but we are rebuilding our wall. Thanks again for the great idea.” The incident garnered national media attention, and a coalition of the College Libertarians, College Republicans, Young Democrats, and Green Team put up a new wall. Rebuilding the wall united the Pepperdine community in a heartening gesture of support for free speech.

*above right* Will Creeley  
*above left* Pepperdine’s  
 Free Speech Wall  
*left* 2010 FIRE Interns

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## *Individual Rights Education Program*

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FIRE is proud to provide students from all across the country with the resources to defend individual rights on their own campuses. In 2010, FIRE continued its successful educational programs like FIRE's *Guides to Student Rights on Campus* Project and our Public Awareness Project while also adding new initiatives like a Video Fellowship. In addition to educating students and professors, these programs strive to educate the public about FIRE's work and about the state of liberty on our campuses through public outreach and media exposure.

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### **PUBLIC AWARENESS PROJECT**

FIRE's Public Awareness Project is crucial to the success of our mission. Public knowledge about abuses of liberty on campus and public pressure for reform are essential tools for combating unconstitutional policies and restoring the rights of wronged students and professors. The project employs a comprehensive outreach strategy that enables FIRE to reach diverse media outlets catering to audiences from across the political and ideological spectra.

For example, in 2010, FIRE published op-eds in such varied publications as *Reason* magazine, *Free Inquiry* magazine, *The Wall Street Journal*, and *Congressional Quarterly Researcher*. In total, coverage of FIRE's work appeared in 109 news articles in 60 publications, which have a combined print circulation of nearly 10 million readers, with more than 110 million additional readers online. FIRE's work drew attention from such noted publications as *The Chronicle of Higher Education*, *The New York Times*, *Inside Higher Ed*, and *The Boston Globe*, and was featured on widely read blogs, including *The Huffington Post* and *Pajamas Media*.

# IRONICALLY, THE CURRICULUM FOR A MASTER'S DEGREE IN SOCIAL WORK AT SUNY BINGHAMTON INCLUDED BLATANT VIOLATIONS OF ANDRE'S FIRST AMENDMENT RIGHTS.

All Andre Massena wanted out of SUNY-Binghamton was a master's degree – and the opportunity to express his opinions freely. He was denied both. When he publicly criticized his school for hiring a faculty member Andre believed to be responsible for social injustice, the Department of Social Work tried to have him expelled. So much for the First Amendment.

With FIRE's help, Andre graduated. But his case is just one of the many violations of student and faculty rights that FIRE sees every day at colleges across the country.

## FIRE's Red Alert List

Bucknell University  
Brandeis University  
Colorado College

Johns Hopkins University  
Michigan State University  
Tufts University

Red Alert institutions have displayed a severe and ongoing disregard for the fundamental rights of their students and professors. They are the “worst of the worst” when it comes to liberty on campus. Think twice before applying to one of FIRE's Red Alert schools.

See who else is violating individual rights on campus. Visit:

[theFIRE.org](http://theFIRE.org)



### **FIRE'S ELECTRONIC BILLBOARD ON ROUTE 15 IN PENNSYLVANIA**

One of the main ways that universities maintain immoral and unconstitutional speech codes is by keeping alumni and parents in the dark about rules that restrict student and faculty speech. That is why FIRE purchased an electronic billboard advertisement—a first for our Public Awareness Project—to publicize Bucknell University's poor record on free speech.

Bucknell, which used two policies to shut down the expression of the Bucknell University Conservatives Club on three separate occasions in 2009, is on FIRE's Red Alert list as one of the worst violators of free speech on campus. Two Bucknell presidents, including new president John C. Bravman, have refused to renounce Bucknell's censorship or revise the policies. Therefore, people traveling to Bucknell on Route 15 from Family Weekend at the beginning of October to Homecoming Weekend at the end of October saw the truth about Bucknell's record on free speech displayed prominently on FIRE's 10'6" x 22'9" billboard pictured below.

Bucknell was also exposed as one of six notorious members of FIRE's Red Alert list in our annual full-page

advertisement in *U.S. News & World Report's* Best Colleges issue. The ad, which appeared directly adjacent to the college rankings, can be seen on page 15.

### **FIRE PRESIDENT APPEARS ON FOX BUSINESS NETWORK'S STOSSEL**

FIRE President Greg Lukianoff appeared on *Stossel* on the FOX Business Network on November 11 to discuss free speech on America's college campuses and to talk about a few of FIRE's most outrageous cases. Joining Greg was former FIRE intern and current Bucknell University student Kirby Thomas, who was involved with FIRE's cases at Bucknell that landed the school on FIRE's Red Alert list. Also featured was former Valdosta State University student Hayden Barnes, who discussed his ongoing legal battle with Valdosta State administrators following his expulsion for engaging in peaceful protest on campus.

### **FIRE TACKLES SOCIAL MEDIA**

In an era of increased connectivity and interaction, FIRE's social media programs and video outreach have, over the past year, helped us spread our message of liberty further than ever before. We've built dedicated communities on a number of different platforms, including gaining 1,000 new Twitter followers, hundreds of additional Facebook fans, and thousands of hits on our YouTube videos.





Twitter, often thought of as the “new newswire,” has provided FIRE with the means to break our news in a timely and succinct manner, and to reach people who are seeing FIRE’s name for the very first time. FIRE’s Facebook page has served as a vessel for people to voice opinions about FIRE cases and issues. Facebook comments promote interaction between not only FIRE fans, but also people who oppose our stances, giving us the chance to showcase the importance of robust debate in America.

### **SWEIDY STATA VIDEO FELLOWSHIP**

In April 2010, thanks to the generosity of dedicated FIRE supporters Raymie Stata and Kimberly Sweidy, FIRE hired a full-time video fellow for a one-year term. After receiving more than 250 film reels and resumes from qualified filmmakers across the country, we selected Joe Stramowski, an experienced journalist, cinematographer, editor, and writer.

Through the video fellowship, Joe produced and distributed a total of 13 high-definition videos. These videos include a series exploring what happens when a culture of censorship shuts down discussion about some of the most important issues in modern discourse—the very issues that need to be exposed to debate and dialogue. Two videos released as part of this series were “Empty Holsters,” which

explores censorship of students attempting to discuss their Second Amendment right, and “Portraits of Terror,” which discusses the case of a Jewish student artist whose art was censored because it was critical of Islamic terrorism.

FIRE also released five short interviews with students and professors who were involved in past FIRE cases, and two videos showcasing keynote addresses by FIRE Board of Directors member and professor Daphne Patai and former *Atlantic* columnist Jonathan Rauch.

The video fellowship was a huge success. Our videos have been viewed more than 60,000 times on the video-sharing websites YouTube and Vimeo. FIRE’s own YouTube channel placed in the daily and weekly “Most Viewed” lists in the Nonprofits & Activism category several times in 2010. In addition, each video has been showcased on FIRE’s website homepage, which drew more than 2.9 million unique visitors in 2010.



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## *Looking Forward*

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For FIRE, 2010 marked not only the beginning of a new decade, but also the start of a new era in the fight to restore liberty to our nation's college and university campuses. 2010 brought what may well prove to be the most pivotal advance yet in FIRE's battle to bring lasting, systemic change to the academy: we successfully pierced the "qualified immunity" defense of Valdosta State University's former president.

Moving into 2011, administrators may now face tangible personal consequences if they knowingly violate student rights—a development that creates a powerful impetus for reform and has set the stage for a significant rebalancing of the incentive structure on our nation's campuses in the coming year. The Valdosta decision and the threat of personal liability have considerably upped the ante for administrators who have historically chosen to deny students and faculty their rights rather than to protect free speech.

In 2011, FIRE will further increase the legal consequences for administrators who violate student and faculty rights, ensuring that those who refuse to respect the Constitution face possible legal action, expenses, the loss of qualified immunity, and widespread negative publicity. But we will also send the message that none of that is necessary. In 2011, FIRE will expand the resources we offer to administrators as part of our effort to proactively encourage them to cooperate with us in reforming their campuses. These efforts are essential to generating lasting and meaningful reform in higher education.

Yet even as we intensify our push for "big picture" reform in 2011, FIRE will continue to focus on the day-to-day initiatives that serve as the foundation for our work. We will extend our online presence, exposing the problems on our nation's campuses to new audiences and urging more members of the public to add their voices to FIRE's in the call for reform. We will counter the growing trend of peer censorship on campus by recruiting more students to become active partners in FIRE's work on campus through the Campus Freedom Network and by increasing our outreach to college-bound high school students through a "know before you go" campaign. We will add even more schools to FIRE's growing list of "green-light" campuses, freeing tens of thousands of current students (and countless more who will eventually set foot on those campuses) from speech codes that chill valuable campus discourse. And, of course, we will continue to do what we do best: defend the hundreds of students and faculty members who turn to us each year facing violations of their most fundamental freedoms.

In 2010, FIRE laid the groundwork for significant, lasting change in the culture of higher education; in 2011, we will leverage these successes in a concerted effort to turn back the tide of censorship and repression on our campuses. In the coming year, FIRE will fight harder than ever to restore a culture of free speech and vigorous debate to our higher education system. The fight to change the culture on our campuses is critical to maintaining our free society—and together with our friends and allies, this is a fight we can win.

## Financial Statements

### BALANCE SHEET

ASSETS	2009	2010
Cash and Equivalents	\$ 2,344,523	\$ 2,040,251
Pledge Receivable	51,700	90,900
Prepaid Expenses	107,268	95,720
Security Deposits	31,704	31,704
Fixed Assets, net	111,293	78,008
<b>TOTAL ASSETS</b>	<b>\$ 2,646,488</b>	<b>\$ 2,336,583</b>
<b>LIABILITIES</b>	<b>2009</b>	<b>2010</b>
Accounts Payable	\$ 14,618	\$ 19,622
Notes Payable - Current	21,346	21,346
Notes Payable - Non-current	24,905	3,560
<b>TOTAL LIABILITIES</b>	<b>\$ 60,869</b>	<b>\$ 44,528</b>
<b>NET ASSETS</b>	<b>2009</b>	<b>2010</b>
Unrestricted	\$ 1,628,524	\$ 2,144,018
Temporarily Restricted	933,811	124,750
Permanently Restricted	23,284	23,287
<b>TOTAL NET ASSETS</b>	<b>\$ 2,585,619</b>	<b>\$ 2,292,055</b>
<b>TOTAL LIABILITIES AND NET ASSETS</b>	<b>\$ 2,646,488</b>	<b>\$ 2,336,583</b>

### STATEMENT OF ACTIVITIES

SUPPORT AND REVENUE	2009	2010
Contributions	\$ 2,666,988	\$ 1,885,510
Interest Income	5,393	17,550
Event Income	107,910	39
Other Income	11,036	43
<b>TOTAL SUPPORT AND REVENUE</b>	<b>\$ 2,791,327</b>	<b>\$ 1,903,142</b>
<b>EXPENSES</b>	<b>2009</b>	<b>2010</b>
Program Services	\$ 1,771,802	\$ 1,877,027
Administrative Services	235,415	182,155
Development	268,467	137,524
<b>TOTAL EXPENSES</b>	<b>\$ 2,275,684</b>	<b>\$ 2,196,706</b>
<b>INCREASE (DECREASE) IN NET ASSETS</b>	<b>\$ 515,643</b>	<b>\$ (293,564)</b>
<b>NET ASSETS: Beginning of Year</b>	<b>\$ 2,069,976</b>	<b>\$ 2,585,619</b>
<b>NET ASSETS: End of Year</b>	<b>\$ 2,585,619</b>	<b>\$ 2,292,055</b>





**2010 FIRE Staff**

*left to right* Jaelyn Hall, Kyle Smeallie, Sean Clark, Alisha Glennon, Claire Jenkins, Joe Stramowski, Adam Kissel, Peter Bonilla, Will Creeley, Greg Lukianoff, Robert Shibley, Jordan Fischetti, Samantha Harris, Peyton Cudaback, Jennifer Feden, Luke Sheahan, Erica Goldberg, Azhar Majeed, Meghan Grizzle *not pictured* Joanna Brenner, Bridget Sweeney

Greg Lukianoff

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