

FOUNDATION FOR INDIVIDUAL RIGHTS IN EDUCATION

FIRE



# *Annual Report*

**2011**



➤ **MISSION** ◀

*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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*top left* Interns enjoy lecture at annual student conference

*top right* Professor Jan Blitz delivers speech at FIRE's summer conference



## A MESSAGE FROM THE PRESIDENT



*This past year represented a new level of achievement for FIRE and our cause on campus. Not only did FIRE secure more victories than ever, but we also succeeded in bringing liberty to thousands more students by welcoming Arizona State University and James Madison University to our list of “green light” schools. Each of our various programs have expanded, and as a result, we’ve welcomed more students into our Campus Freedom Network, enlisted more concerned citizens through our Public Awareness Program, and put more schools on notice through our extensive legal efforts. It was truly a remarkable year, marked by a record number of campus speeches by staff, exceptional social media exposure, and continuing media success in outlets like the New York Post, The Wall Street Journal, and USA TODAY College.*

*These achievements are noteworthy, but as we enter 2012, FIRE has cause for even greater vigor. This year will be our most important yet, as the growing threats on campus present us with an opportunity to engage in new initiatives aimed at truly changing the culture of the academy.*

*None of our work would be possible without the dedication and generosity of our supporters. The accomplishments of 2011 and the milestones to come in 2012 are truly a testament to the commitment of our friends and allies, and we are eternally grateful. As we move forward, I look forward to growing together with you and celebrating our continued successes.*

*Yours in liberty,*

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

Greg Lukianoff

## INDIVIDUAL RIGHTS DEFENSE PROGRAM

*The Individual Rights Defense Program defends liberty on behalf of students and faculty members at colleges and universities across America and promotes accountability through public exposure of abuses. Since 1999, FIRE has achieved 235 victories (with many more cases resolved privately) at 160 colleges and universities with a total enrollment of more than 3 million students.*

***FIRE won more victories than ever before in 2011, showing that administrators are increasingly willing to back down at the first sight of FIRE, knowing that we bring tenacity and a commitment to justice to every case.***

## 2011 DEFENSE CAMPAIGN HIGHLIGHTS

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### **SYRACUSE UNIVERSITY**

FIRE secured a hard-fought victory at Syracuse, where law student Len Audaer had been threatened with charges of “harassment” and faced possible expulsion for his alleged participation in a satirical news blog about life at law school. Audaer turned to FIRE for help after “independent prosecutor” and Syracuse law professor Gregory Germain threatened him with expulsion over satire posted anonymously on the blog, despite not knowing for sure whether Audaer had any relationship to the blog. Germain also refused to reveal what expression in particular justified the charges, or even who was charging Audaer. In addition, Germain demanded that Audaer and his attorney sign a gag order as a condition for gaining any access to documentation of his case and pressured Audaer to agree never to criticize Syracuse for its prosecution. Just days after FIRE named Syracuse in *The Huffington Post* as one of the worst universities in the nation for free speech, the university dropped the case against Audaer, leaving him free to resume his studies.



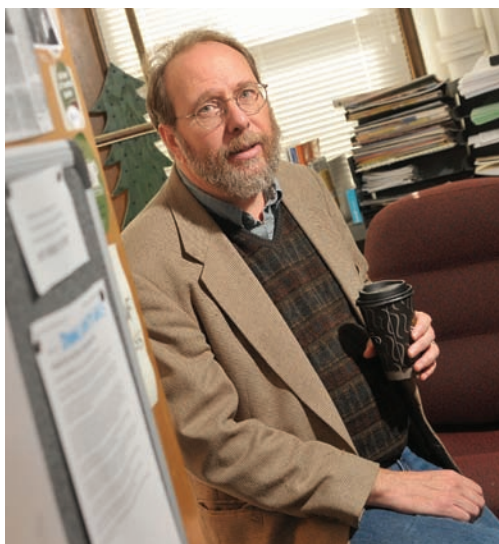
*top left* Syracuse law student Len Audaer



*top middle* Censored "Firefly" poster



*top right* Censored poster



*bottom right* Stout professor James Miller

### UNIVERSITY OF WISCONSIN-STOUT

Under pressure from FIRE, national media, Hollywood actors Nathan Fillion and Adam Baldwin, and science fiction author Neil Gaiman, Stout reversed its censorship of theater professor James Miller's poster featuring a line from Fillion's character in the television series *Firefly*. Campus police removed the poster from outside Miller's office door, citing the line's reference to "killing," and threatened Miller with criminal disorderly conduct charges if he posted it again. When the university censored his second poster, which satirically stated, "Warning: Fascism," and reported Miller to the university's "threat assessment team," Miller came to FIRE for help. Thanks to FIRE's national campaign, which provoked dozens of articles about the case and inspired thousands of individuals to take action, the university invited FIRE to speak about free speech on campus and reaffirmed the importance of preserving the First Amendment.

### CATAWBA VALLEY COMMUNITY COLLEGE

In June 2011, CVCC announced a partnership with a financial services company to provide debit cards to CVCC students. When student Marc Bechtol jokingly criticized the partnership on CVCC's Facebook page, Bechtol was suspended for two semesters and banned from campus without a hearing. Bechtol sought help from FIRE, and we generated a national media campaign to publicize the outrageous punishment he faced for merely expressing his concerns about a school policy. After nearly 30 media outlets reported on the case, including MSNBC and NBC Universal, the public pressure instigated by FIRE forced CVCC to rescind Bechtol's punishment.

### NORTHERN ILLINOIS UNIVERSITY

In a huge victory for freedom of speech and freedom of association, political and religious groups at NIU were given equal access to student activity

⇒ **2011 BY THE NUMBERS** ⇐

*FIRE won **31 PUBLIC VICTORIES** at 29 colleges and universities with a total enrollment of more than 535,000 students. FIRE was responsible for changing unconstitutional or repressive policies affecting 222,235 students.*

fee funding. This victory came after NIU's Student Association Senate brazenly flouted Supreme Court precedent by discriminating against all such groups, maintaining extensive double standards, and denying recognition to NIU Students for Sensible Drug Policy (SSDP) on two separate occasions. SSDP was denied recognition because of the group's viewpoint, its alleged "political" activities, and its failure to show "respect" for the Senate. Following the first denial of recognition, the Senate made matters much worse by making "political" and "religious" student organizations at NIU unfunded, second-class groups while giving "social justice" and "diversity" groups full recognition. Four days after FIRE took this case public, NIU granted full recognition to SSDP as an advocacy group. NIU's Student Association later revised NIU's funding and recognition policies to ensure that decisions were made in a viewpoint-neutral manner.

**UNIVERSITY OF NORTH CAROLINA  
AT CHAPEL HILL**

Under pressure from FIRE, the University of North Carolina at Chapel Hill cleared a Christian student *a cappella* group of wrongdoing after it dismissed a student who felt that he could no longer adhere to the group's religious beliefs. The group, Psalm 100, was targeted by UNC for failing to adhere to the school's nondiscrimination policy because it voted to dismiss a member who, having recently come out as gay, had affirmed that he no longer agreed with the group's beliefs about certain sexual activities. After FIRE intervened, UNC's investigation

of Psalm 100 concluded that the group had not violated the nondiscrimination policy, and that they were free to make belief-based decisions about membership and leadership.

**NASSAU COMMUNITY COLLEGE**

In a victory for freedom of speech, Nassau Community College on Long Island reversed its policy on protest restrictions, permitting instructors to freely distribute literature and carry protest signs around campus. Faculty members contacted FIRE after they were subjected to unconstitutional "free speech zones" twice, confining them behind metal barricades set up by NCC's Public Safety Office. Protesting professors were also prevented from distributing flyers—for the bizarre reason that they had not been approved by NCC's student government. The day before a third protest, FIRE contacted NCC President Donald P. Astrab, sending him an urgent letter reminding NCC of the protesters' First Amendment right to free assembly and the college's own stated commitment to free speech. The next day, faculty protestors received a statement acknowledging their freedom to demonstrate, carry posters, and distribute flyers on campus, and no barricades were erected.

## 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 these policies before they are used to punish speech on campus.*

### **SPEECH CODE DATABASE AND REPORT**

FIRE's searchable database, Spotlight: The Campus Freedom Resource, continues to serve as a guide for parents, students, journalists, and the general public to learn about the extent to which individual universities restrict or respect students' right to free speech. Through this database, FIRE catalogues restrictions on expression at more than 400 colleges and universities, exposes them to public scrutiny, and shows how schools use speech codes to punish unpopular, dissenting, or merely inconvenient expression.

In early January 2012, using research from Spotlight, FIRE published our sixth annual speech code report, *Spotlight on Speech Codes 2012: The State of Free Speech on Our Nation's Campuses*. The report's data show that for the fourth year in a row, the percentage of American colleges and universities that systematically violate students' and faculty members' right to freedom of expression has dropped. Although a high percentage (65%) of schools still maintain policies that clearly or substantially restrict students' and faculty members' rights, this number is down from 75% four years ago, indicating that more universities are beginning to take seriously their obligation to uphold First Amendment principles.

*bottom* Speech Code Report



### **POLICY CHANGE HIGHLIGHT: UNIVERSITY OF WISCONSIN-WHITWATER**

After being named FIRE's Speech Code of the Month for September 2011, the University of Wisconsin-Whitewater (UWW) changed its ridiculous



⇒ **2011 BY THE NUMBERS** ⇐

*FIRE representatives traveled to campuses  
across the country, making*  
**50 PUBLIC SPEAKING APPEARANCES.**

*In 2011, more than **9,300 INDIVIDUALS**,  
nearly 3,500 of whom are students or faculty  
members, subscribed to FIRE's email list.*  
*We boasted more than **4,000 FOLLOWERS ON**  
**TWITTER** and **5,000 FACEBOOK FANS.***

harassment policy to eliminate its category of “obnoxious jerk harassment.” Legally, there are two types of harassment: quid pro quo harassment and hostile environment harassment. Apparently unsatisfied with these categories, UWW created a third category, “obnoxious jerk harassment,” which according to the policy was “not defined by law” and included broad categories of speech like “jokes” and “remarks.” The stunning overbreadth of this policy led FIRE to highlight it as our Speech Code of the Month, focusing the negative attention of the public and the media on the school’s unconstitutional censorship of its students. Thanks to FIRE, UWW quickly revised its policy to eliminate “obnoxious jerk harassment,” there by better protecting the free speech rights of all students on campus.

#### **GREEN-LIGHT VICTORIES**

Over the past year, FIRE has had a great deal of success engaging constructively with students and administrators to reform speech codes. A total of 15 institutions improved from red light to yellow light status in 2011, meaning they eliminated any policies that both clearly and substantially restricted freedom of speech. Additionally, FIRE welcomed two new green light schools, Arizona State

University and James Madison University, as the fourteenth and fifteenth schools with *no policies that seriously threaten free speech rights*. These victories were largely rooted in FIRE’s extended dialogue with students and administrators. Before FIRE’s intervention, Arizona State University prohibited students from including certain types of controversial expression on their posters and flyers, speech which they are now free to publish. FIRE began working with James Madison students and administrators in 2009 to change four policies, which included prohibitions on speech that might “provoke” a violent reaction (essentially granting a “heckler’s veto” to those angered by controversial speech) and making postings subject to administrators’ interpretation of “good taste.”

## LEGAL TRANSFORMATION PROJECT

*FIRE's Legal Transformation Project encompasses our efforts to encourage college administrators, policymakers, and courts to reform restrictive speech policies, protect due process rights, and stop acts of censorship. Fostering relationships with policymakers and influencing their decisions about university policies that impact student expression and due process rights can create transformational and permanent change on our nation's campuses.*

### **DEPARTMENT OF EDUCATION'S OFFICE FOR CIVIL RIGHTS THREATENS DUE PROCESS ON CAMPUS**

FIRE has encountered a powerful foe in the form of new federal regulations. In April 2011, the Department of Education's Office for Civil Rights (OCR) issued new regulatory mandates for colleges and universities that open the door to violations of free speech and due process rights.

OCR's "Dear Colleague" letter requires colleges and universities investigating allegations of sexual harassment and sexual violence on campus to use a "preponderance of the evidence" standard to determine if an accused student is guilty. This standard of proof, our judiciary's lowest, merely requires that it is "more likely than not" that the accused student is responsible; the hearing panel must therefore be only 50.01% certain.

The preponderance of the evidence standard does not sufficiently protect an accused person's right to due process, and FIRE has encountered truly disturbing cases in which the lower evidentiary standard has led to false findings of guilt. Because claims of sexual violence often involve alcohol and drug use, few or no witnesses, and other complicating factors, the **risk of error** introduced by using the lowest possible standard is severe.

#### ***Case Highlight: University of North Dakota***

Under national fire, the University of North Dakota finally vacated the punishment of a student who was falsely convicted of sexual assault

and banned from campus. UND officials branded student Caleb Warner guilty of sexual assault while, *based on the same evidence*, the local police charged Warner's accuser with lying to the authorities. The subsequent miscarriage of justice cost Warner a year and a half of his life. It was only thanks to FIRE's exhaustive efforts and national media campaign, which was launched in *The Wall Street Journal*, that Warner's record was eventually cleared.

In another threat to due process rights, OCR now mandates that if a university judicial process allows the accused student to appeal a verdict, it must also allow the accusing student the right to appeal, as well. This requirement means that a student found innocent in a hearing may be retried, even if the charges against him or her have already been proven baseless, and thus violates the principles underlying our constitutional prohibition against "double jeopardy."

Equally troubling is the fact that OCR's guidance makes no mention of universities' obligation to uphold free speech protections in addressing sexual harassment and fails to explicitly acknowledge that public colleges owe free speech rights to their students. It also fails to recognize the fact that truly harassing conduct (as defined by the law) is distinct from protected speech. Public universities may not violate First Amendment rights, and private universities must honor their promises of freedom of expression. Previous OCR letters on this subject were clear about this, but this most recent letter is not. As a result, students across the country are at risk of being punished for protected expression.

FIRE has taken action to ensure that current and future legislation and policymaking do not infringe on the rights of students and professors. Building on the clear need to fully enlist the support of citizens and legislative representatives to protect individual rights, FIRE hosted a coalition meeting in Washington, D.C. in July 2011, assembling 20 organizations, including the Cato Institute, the

American Enterprise Institute, Young America's Foundation, the Intercollegiate Studies Institute, the Institute for Humane Studies, the Leadership Institute, The Heritage Foundation, and the National Association of Scholars, to strategize about how best to combat the new federal mandate. FIRE also sent an open letter to OCR in May 2011, detailing the April 2011 mandate's flaws and proposing possible revisions. Those critiques were echoed by two letters sent to OCR by the American Association of University Professors, the nation's premier organization dedicated to the defense of faculty governance and academic freedom.

In order to explain this complicated issue to interested parents, students, professors, media outlets, and members of the public, FIRE published a comprehensive yet accessible compilation of "Frequently Asked Questions" about OCR's mandate, which is available on our website. Additionally, FIRE released a survey on evidentiary standards at colleges and universities across the nation, which found that the OCR letter disproportionately affects higher-ranked schools, increasing the probability that our nation's best and brightest will be wrongly convicted of sexual assault based on the "preponderance of the evidence" standard.

#### **FIRE AUTHORED AMICUS BRIEFS**

FIRE authored *amicus curiae* ("friend of the court") briefs in the past year, which have the double effect of further publicizing our pro-student-rights position while potentially influencing the outcome of critical First Amendment cases. All three of the cases are important if student liberties on campuses across the country are to be protected. FIRE's involvement in these cases bolsters support for free speech by presenting powerful arguments for defending student rights to the court.

#### ***Barnes v. Zaccari***

The highlight of FIRE's legal work this year has been our landmark victory in *Barnes v. Zaccari*. FIRE has been engaged in this case since 2007, when Ronald Zaccari, then-president of Valdosta State University in Georgia, expelled student

⇒ **2011 BY THE NUMBERS** ⇐

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Hayden Barnes for protesting the construction of two parking garages on campus. Because of Barnes' protected expression, which included flyers, emails, and a Facebook collage, Zaccari personally ordered Barnes' immediate expulsion, violating Barnes' rights to free speech and due process. Barnes sued Zaccari and other administrators, and in September 2010, a federal district court delivered a decisive victory for student rights, holding that Zaccari was not entitled to "qualified immunity," meaning that he was *personally* liable for violating Barnes' due process rights.

Zaccari appealed, and the case was heard before the United States Court of Appeals for the Eleventh Circuit. To illustrate the high stakes for student rights, FIRE led a coalition of fourteen organizations—including the Cato Institute, the Reason Foundation, the National Coalition Against Censorship, the Electronic Frontier Foundation, the American Civil Liberties Union of Georgia, the American Booksellers Foundation for Free Expression, and the National Association of Scholars, among others—in filing an *amici curiae* brief before the court in April 2011. Our brief urged the court to uphold the lower court's rejection of the qualified immunity defense and set a precedent for personal administrative liability across the country. In a ruling issued in February 2012, the Eleventh Circuit did just that.

The decisive victory marks a major step forward for student rights, and, thanks to this landmark decision, administrators in the Eleventh Circuit (which includes Alabama, Georgia, and Florida) may now be found *personally* responsible for monetary damages for infringing on student and faculty rights. This important precedent naturally gives would-be censors a tremendous incentive to adopt truly liberal policies and practices, significantly strengthening FIRE's position in the process.

**Lopez v. Candaele**

In April, FIRE filed an *amicus curiae* brief before the Supreme Court of the United States in *Lopez v. Candaele*. As a student in a Speech 101 class at Los Angeles City College, Jonathan Lopez delivered remarks referencing his religious views as part of a class assignment, including expressing his view of Biblical morality and his conception of the proper definition of marriage. Following the speech, Lopez was called a "fascist bastard" by his professor. When Lopez asked for a grade, the professor recommended that Lopez "ask God what your grade is." In Lopez's subsequent suit challenging a restrictive sexual harassment policy at the college, the United States Court of Appeals for the Ninth Circuit ruled that Lopez didn't have the proper "standing" to challenge the school's speech code because it found he hadn't suffered a legally



*top far left* Andrew Kloster, Justice Robert H. Jackson Legal Fellow  
*bottom far left* Hayden Barnes  
*left* Robert Corn-Revere delivers keynote address at CFN Conference

cognizable harm. FIRE's brief argued that the Supreme Court should review the Ninth Circuit's ruling for several reasons, arguing that Lopez had well-founded reasons to fear punishment for his speech; allowing the Ninth Circuit's decision to stand would make it even more difficult to challenge unconstitutional speech codes on campus; and students would be more likely to self-censor if they could not challenge speech codes without evidence of direct punishment. Unfortunately, in May 2011, the Supreme Court declined to hear the case, allowing the troubling ruling to stand for now.

#### ***Tatro v. University of Minnesota***

In November, FIRE, together with the Student Press Law Center, filed an *amici curiae* brief before the Minnesota Supreme Court in *Tatro v. University of Minnesota*, which deals with universities' ability to regulate off-campus student speech. Amanda Tatro, a mortuary sciences student at the University of Minnesota, faced discipline for off-campus comments she posted on Facebook, which her school labeled as threatening despite their clearly protected and non-threatening nature. FIRE's *amici* brief argued that the notion that registering for a course offered by a public college divests a citizen of the full benefit of the First Amendment is preposterous and has dire implications. We await a decision in this case; if the court finds against

Tatro, students' letters to newspapers, speeches at town-hall meetings, and interviews with television news stations will all be subject to content-based governmental control.

#### **JUSTICE ROBERT H. JACKSON LEGAL FELLOWSHIP**

FIRE welcomed our fourth Justice Robert H. Jackson Legal Fellow, Andrew Kloster, to our team. Andrew comes to FIRE with impressive credentials from the New York University School of Law, where he was the senior articles editor for the *Journal of Law and Liberty* and head of the NYU Law chapter of the Federalist Society. In addition to regularly writing about legal developments in the field of students' rights, Andrew drafted an article for submission to law journals about the due process rights of students during college disciplinary hearings. FIRE's previous Justice Robert H. Jackson Legal Fellow, Erica Goldberg, completed her tenure at FIRE in June 2011. Erica produced three law review articles during her time at FIRE and is now a Visiting Assistant Professor at the Dickinson School of Law at Pennsylvania State University, where she is endowing future lawyers with an appreciation for the importance of liberty.

## CAMPUS FREEDOM NETWORK

*FIRE's Campus Freedom Network is a dynamic coalition of students, faculty members, and alumni dedicated to advancing individual liberties on their campuses, with the aid of grassroots support from FIRE.*

*This network works to safeguard liberties at colleges and universities nationwide by generating on-campus reform, spreading awareness among students and faculty members about their rights, and petitioning administrators for change. The CFN—which boasts 5,250 student, faculty, and alumni members from 1,390 schools across the nation—acts as FIRE's eyes and ears on campus.*

### 2011 ANNUAL STUDENT CONFERENCE

In July 2011, FIRE hosted our fourth annual CFN student conference at Bryn Mawr College, just outside Philadelphia. More than fifty students attended the conference, where they participated in lectures, panels, and break-out sessions; learned how to defend core constitutional freedoms; and developed action plans for reform at their own colleges and universities. Conference participants returned to their schools wellinformed about their rights, and tactics they can use to ensure those rights are respected, and eager to put their newly acquired knowledge and skills to use. During the conference, FIRE hosted prominent speakers such as Nick Gillespie, editor-in-chief of Reason.tv and Reason.com; Robert Corn-Revere, a noted attorney and expert on the First Amendment; and Professor Jan Blits from the University of Delaware.

### SUMMER INTERNS ARRIVE IN PHILADELPHIA

FIRE's Internship Program engages undergraduate and law students in FIRE's mission and trains them as advocates for liberty for ten weeks each summer. During the summer of 2011, FIRE welcomed eight undergraduate and two legal interns from prestigious schools to join us in the City of Brotherly Love, providing them with direct experience defending civil liberties while also engaging them in educational opportunities, including attending FIRE's summer conference and participating in academic seminars with FIRE's

*bottom* Students participate in Free Speech Week by posting on a Free Speech Wall





### 2011 SUMMER INTERNS

*left to right* Elizabeth Jacobs, Hillsdale College '12; Alex Lewis, Rutgers University '12; David Deerson, UNC-Chapel Hill '13; Oliver Rosenbloom, Brown University '13; Rachel Cheeseman, DePauw University '12; Kenny Tan, Vanderbilt University '14; Mallika Vinekar, University of Pennsylvania '13; Emily Kraus, Brandeis University '12

leadership and other civil liberties experts. Since returning to campus in the fall, our 2011 interns have organized informative and well-attended events on campus, authored hard-hitting op-eds, arranged for FIRE speakers to talk at their universities, and have even been featured on local news stations for their work.

#### **“FREEDOM IN ACADEMIA” ESSAY CONTEST**

In the fall of 2011, FIRE launched our fourth annual “Freedom in Academia” Student Essay Contest, which reaches out to high school students *before* they go to college to educate them about their rights on campus. FIRE announced the winners of the contest from a strong pool of more than 2,500 submissions, 75% more than in 2010. Through the contest and the corresponding videos, FIRE has reached thousands of students who otherwise may not have known about our work or about the rampant abuses of liberty on our nation’s campuses. FIRE’s “Freedom in Academia” Essay Contest serves as an outreach tool to more demographic groups than just students—parents, teachers, guidance counselors, and other community members are all exposed to FIRE’s work when a student submits an essay.

#### **SPEAKERS BUREAU**

FIRE’s Speakers Bureau had a remarkable year in 2011. Since its launch in 2008, the Speakers Bureau has facilitated students’ ability to bring FIRE

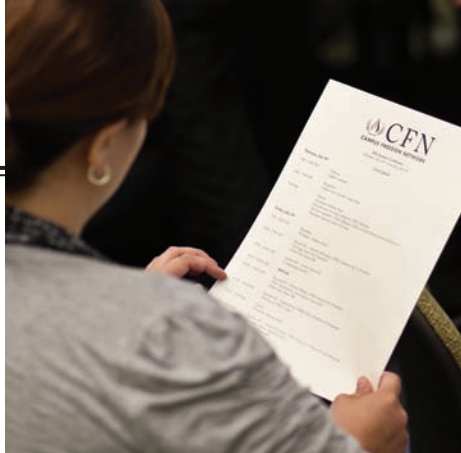
staff directly to their campuses to discuss threats to liberty on campus and how to defend their rights. When hosting a FIRE speaker, students can choose from a variety of subjects, such as “How to be Proactive about Student Rights” and “Identifying Thought Reform on Campus,” or students can request that FIRE speakers discuss topics dealing specifically with their campus. FIRE’s speaker engagement process is interactive and informal, allowing students to work with FIRE experts to craft a talk that will best engage a specific audience. In 2011, FIRE representatives made 50 speeches on 38 college and university campuses.

#### **ACTIVISM HIGHLIGHT**

Former FIRE intern and CFN member Kenny Tan has enthusiastically pursued reform on his campus, Vanderbilt University. Kenny wrote numerous op-eds and letters to the editor for both campus and local newspapers, was featured on two local news stations for his work fighting illiberal policies at Vanderbilt, met with a university dean to discuss problematic speech policies, and organized talks on campus about students’ First and Second Amendment rights, including a talk by FIRE’s Vice President of Programs Adam Kissel. Kenny was also inducted into FIRE’s Prometheus Society, an exclusive honor reserved for the most active CFN members, for his hard work defending freedom on campus.



*top left* Adam Kissel, Vice President of Programs  
*top right* Conference agenda  
*bottom right* Students enjoy conference presentation



⇒ **2011 BY THE NUMBERS** ⇐

*FIRE was featured in*  
**176 ARTICLES IN 94 PUBLICATIONS**  
*with a combined print and online*  
*circulation of more than 100 million.*

*FIRE's grassroots Campus Freedom Network*  
*added **700 NEW MEMBERS IN 2011,***  
*bringing its total membership to*  
*5,250 students, faculty, and alumni from*  
*1,390 schools across the nation.*



## INDIVIDUAL RIGHTS EDUCATION PROGRAM

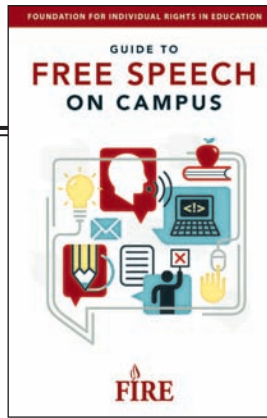
*Through the Individual Rights Education Program, FIRE arms students and faculty members with the knowledge to understand their rights, the tools to determine if those rights are being violated, and the resources to protect their freedoms. FIRE also educates the public about the state of liberty on our nation's campuses, continually exposing violations of civil liberties through new and traditional media.*

*The Individual Rights Education Program was a winner of the 2011 Templeton Freedom Award for Student Outreach given by The Atlas Economic Research Foundation. This award recognized FIRE as one of the best organizations for advancing the understanding of freedom, and we would like to thank the Atlas and Templeton foundations for this distinction.*

### **GUIDES TO STUDENT RIGHTS ON CAMPUS**

FIRE's 5-book *Guides* series educates students about their free speech, due process, and religious liberty rights, as well as ways to preserve those freedoms. The *Guides* provide students with the resources to understand easily abused campus programs and policies, such as first-year orientation and the allocation of student fees. In 2011, FIRE updated our *Guide to Free Speech on Campus*, which now features an updated design and new contextual scenarios and information, including a brand new section on online speech rights. Free speech is one of the liberties administrators most frequently abuse—through speech codes or in individual cases—and our updated *Guide* arms students with the knowledge to defend their free speech rights. The new section on online speech is particularly important since student speech is increasingly shifting from face-to-face interactions to social media sites like Facebook and Twitter. It includes discussion of legal precedents governing online speech, common policies on campuses that limit or interfere with online communications, new hypothetical scenarios,

far top right FIRE newsletter  
 far bottom right Neil Gaiman  
 in "Firefly" video  
 right New Free Speech Guide cover

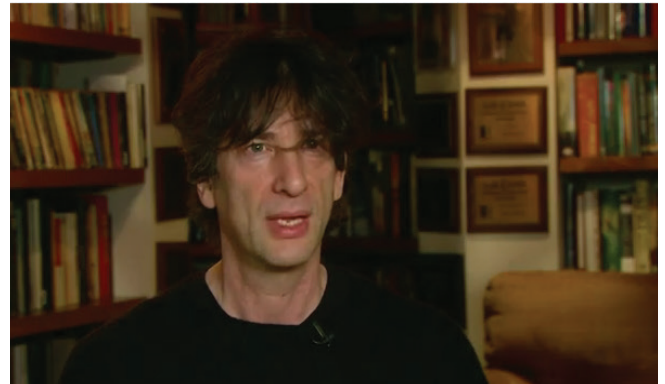


and unique strategies for combating electronic regulations, along with much more information.

**FIRE'S PUBLIC AWARENESS PROJECT**

FIRE works to educate the public about the state of liberty on our nation's campuses, promote public knowledge about individual liberties, and encourage public scrutiny of administrative decisions. FIRE's Public Awareness Project uses a vast range of resources, including advertisements, media engagement, email outreach, social media tools, and the dissemination of print publications to accomplish this.

- FIRE was featured in 176 articles in 94 publications with a combined print and online circulation of more than 100 million. Coverage of FIRE's work appeared in such noted publications as *The Chronicle of Higher Education*, *The New York Times*, *The Wall Street Journal*, *Inside Higher Ed*, and *The Boston Globe* and on widely read blogs including *The Huffington Post* and *Pajamas Media*.
- Within hours after FIRE published a list of "The 12 Worst Colleges for Free Speech" in *The Huffington Post*, the article garnered more than 450 comments and was shared on Twitter or Facebook nearly 1,000 times. In the days following, the list attracted the attention of 21 additional media outlets and led to our major case victory at Syracuse University. Due to the article's popularity, FIRE was asked to provide a second list highlighting the best colleges for free speech.
- The number of average unique monthly visitors to FIRE's website increased by 24% in 2011.



- *Firefly* actors Adam Baldwin and Nathan Fillion and popular science fiction author Neil Gaiman all "retweeted" FIRE's Twitter coverage of our Stout case to their combined nearly 3 million followers, informing new and passionate groups of people about FIRE and the need for our work.

**You can check out our social media presence by visiting:**  
[Facebook.com/theFIREorg](https://www.facebook.com/theFIREorg)  
[Twitter.com/theFIREorg](https://twitter.com/theFIREorg)  
[YouTube.com/theFIREorg](https://www.youtube.com/theFIREorg)

**'FIREFLY' VIDEO GOES VIRAL**

FIRE's video initiative sparks valuable dialogues about free speech issues in higher education and reaches the mainstream public through the dissemination of short, high-quality videos. In December 2011, we released one of our most popular videos to date, "Don't Mess with *Firefly*: How SciFi Fans Made a Campus Safe for Free Speech." It told the story of FIRE's case at the University of Wisconsin-Stout. Featuring legendary science fiction author Neil Gaiman, the video received more than 20,000 views *in the first day* of its exposure, and went on to attract more than 86,000 views.

# FINANCIAL STATEMENT

## ➤ STATEMENT OF ACTIVITIES ➤

SUPPORT AND REVENUE	2010	2011
Contributions	\$1,885,510	\$2,310,792
Interest income	17,550	5,798
Event Income	39	-
Other Income	43	2,736
<b>TOTAL SUPPORT AND REVENUE</b>	<b>\$1,903,142</b>	<b>\$2,319,326</b>

EXPENSES	2010	2011
Program services	\$1,877,027	\$1,665,572
Administrative services	182,155	246,035
Development	137,524	225,609
<b>TOTAL EXPENSES</b>	<b>\$2,196,706</b>	<b>\$2,137,216</b>

<b>INCREASE (DECREASE) IN NET ASSETS</b>	<b>\$(293,564)</b>	<b>\$182,110</b>
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<b>NET ASSETS:</b> Beginning of Year	\$2,585,619	\$2,292,055
<b>NET ASSETS:</b> End of Year	\$2,292,005	\$2,474,165



*Charity Navigator, the largest charity evaluator in America, has given FIRE its highest charity rating of four stars for the fourth year in a row—a distinction only 6% of the charities reviewed have received. This impressive designation recognizes that FIRE's accountability and fiscal responsibility "outperforms most other charities in America."*



**2011 FIRE STAFF**

*left to right* (Back Row) Bridget Sweeney, Peyton Cudaback, Adam Kissel, Peter Bonilla, William Creeley, Andrew Klosterman, Azhar Majeed, (Front row) Sean Clark, Alisha Glennon, Alison Meyer, Samantha Harris, Greg Lukianoff, Robert Shibley, Jaclyn Hall, Gina Luttrell, Joe Cohn. (photo credit: Pushnik Photo)

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  
**FIRE CO-FOUNDER AND CHAIRMAN EMERITUS**

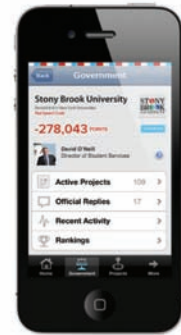
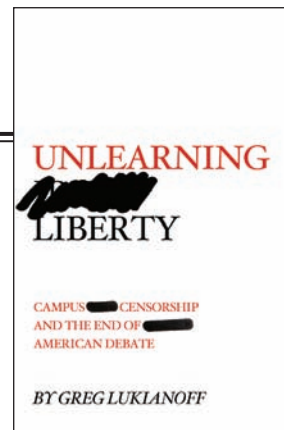
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Milton Rosenberg  
John R. Searle  
Christina Hoff Sommers



*top left* Draft Cover of *Unlearning Liberty*

*top right* FIRE iPhone app

*left* Greg Lukianoff

## ➤ LOOKING AHEAD TO 2012 ➤

In 2012, FIRE will unveil a number of new and exciting projects. First, in an increasingly smartphone-centered world, FIRE is excited to announce that we are developing a new iPhone/iPad application designed to make fighting for liberty on campus simple and accessible to all by giving students and everyday individuals the power to document abuses and defend rights. In addition, we will welcome a new Sweidy Stata Video Fellow to produce over a dozen high-definition videos that have the potential to reach an even broader audience with news of our outrageous cases and compelling mission. Films will include one aimed at incoming college students as part of FIRE's "Know Before You Go" campaign and an interview with famous psychologist Steven Pinker.

Furthermore, in the face of the new dangers posed by proposed federal regulation designed to combat bullying and the new guidance for sexual misconduct cases released by the Department of Education's Office for Civil Rights, FIRE has undertaken a new Public Policy Innovation Project. With increased capacity and a new legislative focus, we will be able to actively monitor and counter the threats to individual liberty coming out of Washington.

Perhaps most importantly, in 2012, FIRE's President Greg Lukianoff will publish his first book, *Unlearning Liberty*. The book addresses the state of free speech on campus, arguing that decades of censorship have devalued our higher education system and harmed us all well beyond the physical limits of campus. In fact, *Unlearning Liberty* demonstrates that the negative lessons students are learning about living in a free society are wrecking havoc on our democracy as a whole. The book will serve as both a wake-up call and a call to arms, and it will be the focus of an ambitious and aggressive public awareness campaign about the crisis on campus. The book and the attention we hope it will generate represent an opportunity to rebalance the debate in freedom's favor, transitioning FIRE onto a new stage and broadening our efforts to restore freedom of speech, freedom of conscience, and due process at our colleges and universities.



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