



FIRE

Foundation for Individual
Rights and Expression

July 20, 2023

President Sian Beilock
Office of the President
207 Parkhurst Hall
Dartmouth College
Hanover, New Hampshire 03755

Sent via Electronic Mail (President's.Office@Dartmouth.edu)

Dear President Beilock:

I write to you today on behalf of the Foundation for Individual Rights and Expression (FIRE) to congratulate you on your appointment as president of Dartmouth College and to discuss ways FIRE can collaborate with your administration to improve the climate for free expression on campus early in your tenure.¹

FIRE is encouraged to see someone vocal in their appreciation for freedom of expression, such as yourself, take office at Dartmouth. In particular, we at FIRE applaud your efforts in establishing the first Faculty Committee on Free Expression at Barnard College.² In December 2021, when you announced that you would hold the committee's first meeting, you noted, "It has become common for freedom of expression and inclusivity to be discussed as *competing* principles and people often see them as contradictory," and urged individuals and departments to look for opportunities to *connect* "inclusivity to freedom of expression in the classroom and in their scholarly circles."³ We whole heartedly agree that this is the better approach and hope you will continue to highlight the benefits of embracing free speech on campus at Dartmouth.

As you may be aware, FIRE's annual College Free Speech Rankings analyze universities' climate for freedom of expression based on a myriad of factors.⁴ In recent years, Dartmouth has earned a mediocre ranking, most recently coming in at 83rd

¹ As you may know, FIRE is a nonpartisan, nonprofit organization dedicated to defending liberty, freedom of speech, due process, academic freedom, legal equality, and freedom of conscience on America's college campuses.

² *Freedom of Expression at Barnard College*, BARNARD COLL., barnard.edu/news/freedom-expression-barnard-college. FIRE was also pleased to work at this time with former Deputy General Counsel Andrea Stagg on revisions to several of Barnard's regulations on expression.

³ *Id.*

⁴ *2022 College Free Speech Rankings* 5-10, FOUND. FOR INDIVIDUAL RTS. AND EXPRESSION, thefire.org/sites/default/files/2022/09/CFSR-2022-09-07-a.pdf.

place out of 203 institutions.⁵ Fortunately, there are a number of ways Dartmouth can improve its climate for free expression, such as adopting a version of the “Chicago Statement,” revising its policies to align with First Amendment standards, and adopting orientation materials promoting the value of free speech.

First, Dartmouth should re-commit to freedom of expression by adopting an institutional free speech statement.

Given your time at the University of Chicago, I’m sure you’re familiar with the “Report of the Committee on Freedom of Expression at the University of Chicago,” otherwise referred to as the “Chicago Statement” or “Chicago Principles.”⁶ At FIRE, we consider the Chicago Statement to be the gold standard for this type of institutional free speech policy statement.

Not only do the words of a statement modeled after the Chicago Statement inform students, administrators, and others about the principles behind the First Amendment, but the very process of reviewing, deliberating over, and ultimately endorsing a version of the Chicago Statement has also led campus stakeholders to reflect on their approach to oftentimes thorny and difficult speech issues. As we have seen over and over, this is a valuable experience for those involved.

Second, Dartmouth can improve its climate for free speech by revising its written policies so that they fully track First Amendment standards.

FIRE maintains a database that rates the policies that regulate student expression at 486 top institutions across the country.⁷ From 2005 to 2015, Dartmouth earned FIRE’s highest, “green light” rating in our database, awarded to schools that maintain no policies that seriously threaten freedom of expression.⁸

Unfortunately, Dartmouth now maintains four policies that earn FIRE’s “yellow light” rating, reserved for policies that, by virtue of vague wording, can too easily be used to restrict free speech.⁹ We would be pleased to work with you and your administration on making revisions to these policies that would restore Dartmouth’s green light status.

⁵ *Id.* at 54.

⁶ *Adopting the Chicago Statement*, FOUND. FOR INDIVIDUAL RTS. AND EXPRESSION, thefire.org/research-learn/adopting-chicago-statement.

⁷ *FIRE’s Spotlight Database*, FOUND. FOR INDIVIDUAL RTS. AND EXPRESSION, thefire.org/research-learn/fires-spotlight-database.

⁸ Samantha Harris, *Dartmouth Stands By Restrictive ‘Bias Incident Reporting’ Protocol, Loses FIRE’s ‘Green Light’ Rating*, FOUND. FOR INDIVIDUAL RTS. AND EXPRESSION, thefire.org/news/dartmouth-stands-restrictive-bias-incident-reporting-protocol-loses-fires-green-light-rating.

⁹ *FIRE’s Spotlight Database: Dartmouth College*, FOUND. FOR INDIVIDUAL RTS. AND EXPRESSION, thefire.org/colleges/dartmouth-college. Our speech code ratings are explained in full at thefire.org/research-learn/using-fires-spotlight-database.

Third, FIRE recommends adopting orientation materials aimed at teaching incoming students about their free speech rights and the principles behind the First Amendment. By teaching students about the importance—and boundaries—of freedom of expression from day one, you'll better equip them to engage with speech with which they disagree throughout their time at Dartmouth.

FIRE, together with New York University's First Amendment Watch, has developed a series of modules and videos to teach incoming students about their free speech rights and about strategies for handling common free speech issues on campus.¹⁰ The modules include topics such as controversial speakers, talking across differences, handling offensive speech, unprotected speech, the history of protest on campus, and academic freedom.¹¹ They can be adopted in full or adapted to fit the particular needs of Dartmouth's campus. For example, while some colleges have used our materials in their formal first-year orientation programs, others have posted the videos on university webpages about free speech at the institution.¹² Several others created their own programs after consulting with FIRE. To that end, we can put our experience to work for you and your students by developing a program for your campus.

Again, congratulations on your new role as Dartmouth's president. FIRE would be pleased to partner with you to make the classroom a "brave space" once again.¹³ I can be reached any time at 215-717-3473 or at laura@thefire.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Beltz". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Laura Beltz
Director of Policy Reform

¹⁰ *Free Speech Lessons for Freshman Orientation & First-Year Experience Programming*, FOUND. FOR INDIVIDUAL RTS. AND EXPRESSION, thefire.org/research-learn/free-speech-lessons-freshman-orientation-first-year-experience-programming.

¹¹ *Id.*

¹² See, e.g., *FIRE Videos*, ARIZ. STATE UNIV., eoss.asu.edu/resources/free-speech/fire-videos; *Expressive Activity on Campus*, TEXAS A&M UNIV., firstamendment.tamu.edu/first-amendment-on-campus; *Get Informed – Free Speech 101*, CAL. STATE POLYTECHNIC UNIV., POMONA, cpp.edu/student-affairs/expression1/rights.shtml.

¹³ Freedom of Expression at Barnard College, *supra* note 1.