



Foundation for Individual Rights in Education

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January 7, 2010

President Lawrence S. Bacow
Office of the President
Tufts University
Ballou Hall, Second Floor
Medford, Massachusetts 02155

Re: *The Primary Source* case and FIRE's Red Alert list

Dear President Bacow:

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, thefire.org, as well as the negative attention it draws to Tufts University's public image, make it all the more disappointing that FIRE must include Tufts among the "worst of the worst" for protecting campus liberty for a second straight year.

FIRE takes no pleasure in keeping Tufts on its Red Alert list. As an organization that prides itself on its ability to quickly resolve disputes, we find it especially disappointing that Tufts has continued to stand by its unjust actions and willingly imperil the free expression of its students. 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 Tufts as well as in numerous press releases and entries on FIRE's blog, *The Torch*, all that Tufts needs to do to ensure its removal from FIRE's Red Alert list is to bring justice in the case of the student newspaper *The Primary Source* by formally reversing or expunging the finding of harassment against the paper on the basis of its content. Such a degradation of free expression cannot be allowed to stand, and FIRE will continue to publicly call on Tufts to remedy this wrong until it does.

Taking this step will cost Tufts nothing and will only save the university from the further embarrassment of having to publicly defend its indefensible disregard for student rights. Tufts 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 robert@thefire.org. Thank you for your attention to this crucial issue. I sincerely hope that FIRE will not be sending this letter in another year's time.

Sincerely,

A handwritten signature in blue ink that reads "Robert L. Shibley". The signature is written in a cursive style with a clear, legible font.

Robert L. Shibley
Vice President

Encl.

cc:

Kim Thurler, Director of Public Relations

Brian K. Lee, Vice President for University Advancement