



December 10, 2020

Morton Schapiro
Office of the President
Northwestern University
633 Clark Street
Evanston, Illinois 60208-1100

Sent via Electronic Mail (nu-president@northwestern.edu)

Dear President Schapiro:

FIRE¹ is disappointed that we did not receive a response to our letter of November 10, 2020, expressing concern about the state of freedom of the press at Northwestern University.

We hoped our original letter would open the conversation and prompt Northwestern to review its policies. We write again to more specifically outline FIRE's concerns with Northwestern's press policies in hope that the institution will take steps to address these potential threats to its student press.

Northwestern's "Filming and Photography" policy states that it was amended to include additional restrictions on the news media due to the coronavirus pandemic,² but we do not understand it to be substantively different from the policy described in the Wilson Report³ or the current film policy posted on Northwestern's website.⁴ To the extent that these restrictions respond to the COVID-19 pandemic, we will look forward to seeing them expire when the pandemic concludes.

¹ As you will recall from prior correspondence, the Foundation for Individual Rights in Education (FIRE) is a nonpartisan, nonprofit organization dedicated to defending liberty, freedom of speech, due process, academic freedom, legal equality, and freedom of conscience on our nation's college campuses.

² *Filming and Photography*, NORTHWESTERN NOW, NORTHWESTERN UNIV., <https://news.northwestern.edu/for-journalists/filming-photography> (last visited Dec. 8, 2020).

³ JOHN K. WILSON, UNIVERSITY OF CALIFORNIA NATIONAL CENTER FOR FREE SPEECH AND CIVIC ENGAGEMENT, *FREEDOM OF THE PRESS ON CAMPUS (2020)*, available at <https://freespeechcenter.universityofcalifornia.edu/fellows-19-20/wilson-research>.

⁴ *Supra* note 2.

Northwestern's filming policy requires "expressed permission" before "any reporting, filming or photography can take place on Northwestern's private property."⁵ This is further illustrated in Northwestern's "On-site Reporting" policy, which requires "[m]edia wishing to shoot video or photos, or interview members of the University community on campus of inside campus buildings" to notify Northwestern Media Relations.⁶

The published policies, if applied to student journalists, would require these students to gain permission to report on campus, placing an undue burden on their newsgathering efforts.

As discussed in our November 10 letter, policies that restrict the rights of student reporters to engage in expressive activities in open areas of campus directly contradict Northwestern's promises that its constituents enjoy rights to freedom of expression. Neither of these policies include an exception for student journalists, so they can be applied to restrict their newsgathering.⁷ While Northwestern may not intend to apply this policy to student journalists, the fact that the policy's plain language reaches student journalists risks a chilling effect that is untenable at a university that highly values free expression and transparency.

FIRE has unfortunately seen this chilling effect play out at other institutions. We have spoken with numerous student journalists at colleges and universities across the nation who come to us with concerns about how their institutions' media policies might restrict their ability to gather news. While these policies are often not intended to apply to student reporters, the ambiguity and the fact that at least some institutions *do* actively apply such policies to the student press leaves student journalists reasonably concerned about the status of their rights.

We hope Northwestern will take this opportunity to explore ways that it might better balance its commitments to free expression, transparency, streamlined media relations, and its normal operations. As offered in our letter of November 10, FIRE would be pleased to extend our support and assistance as Northwestern undergoes these policy revisions.

We request receipt of a response to this letter no later than the close of business on December 23, 2020.

Sincerely,



Sabrina Conza
Program Analyst, Individual Rights Defense Program

⁵ *Id.*

⁶ *On-site Reporting*, NORTHWESTERN NOW, NORTHWESTERN UNIV., <https://news.northwestern.edu/for-journalists/on-site-reporting> (last visited Dec. 8, 2020).

⁷ As an organization dedicated to defending the rights of students and faculty on college campuses, FIRE takes no position regarding the application of such policies to professional journalists.