

FIRE

Foundation for Individual
Rights and Expression

October 31, 2022

Fr. Justin Daffron, S.J.
Office of the President
Loyola University New Orleans
6363 St. Charles Avenue
New Orleans, Louisiana 70118

Sent via U.S. Mail and Electronic Mail (pres@loyno.edu)

Dear Interim President Daffron:

The Foundation for Individual Rights and Expression (FIRE), a nonpartisan nonprofit dedicated to defending freedom of speech,¹ is deeply concerned by Loyola University New Orleans's repeated investigations and punishments of Professor Walter Block for his extramural speech and the pedagogically relevant content of his lectures. This speech is squarely protected by Loyola's robust promises of free expression and academic freedom.

Compounding the violation of Block's rights, some of the complaints forming the basis for investigation are more than a year old and appear to concern speech Loyola previously conceded is protected. Restricting a faculty member's expression on the basis that some find it offensive, disagreeable, or wrong is antithetical to the academic freedom Loyola purports to protect, as is investigating vague, baseless, or patently frivolous complaints about years-old speech. FIRE calls on Loyola to rescind all sanctions and conditions imposed on Block as a result of these unwarranted investigations, and to reaffirm its commitment to upholding faculty members' expressive rights.

I. Loyola Repeatedly Investigates Block's Speech

Walter Block is the Harold E. Wirth Eminent Scholar Chair in Economics in the College of Business at Loyola University New Orleans.² In June 2020, a change.org petition called on Loyola to fire Block for his "racist and sexist beliefs," claiming he "publicly stated that he believes slavery to be wrong because it goes against Libertarianism, not because it is morally

¹ For more than 20 years, FIRE has defended freedom of expression, conscience, and religion, and other individual rights on America's college campuses. You can learn more about our recently expanded mission and activities at thefire.org.

² The account provided here reflects our understanding of the pertinent facts. We appreciate that you may have additional information to offer and invite you to share it with us. To these ends, please find enclosed an executed privacy waiver authorizing you to share information about this matter.

wrong,” that he “justified women being paid less than men,” and that he opined the Americans with Disabilities Act (ADA) is a “terrible law.”³ Also around that time, a group of students sent Loyola’s former president Tania Tetlow a letter urging the university to take action against Block, citing, among other examples, a New York Times article that quoted him as saying slavery was “not so bad.” The letter relied on this allegation notwithstanding that Block had sued the Times for defamation for taking his words out of context and received a settlement that included the Times correcting the article to note it had mischaracterized his views.⁴

At a town hall with students, Tetlow acknowledged their concerns, but affirmed the academic freedom Loyola’s faculty enjoy.⁵ Similarly, then-Interim Provost Maria Calzada said that while she “adamantly disagree[d] with Dr. Block’s conclusions,” his speech was protected by the university’s commitment to expressive freedom. She noted that:⁶

Ideological diversity is critical in academic [*sic*], and in the Catholic intellectual tradition. Because of that, we are willing to engage even in debates that are antithetical to Catholic doctrine (as some of Dr. Block’s work is in fact.) But — we have serious legal constraints on our ability to fire faculty for that which they publish, even if we find it anathema. We cannot be accredited as a university without policies of academic freedom.

Yet, in April 2021, Loyola sanctioned Block for various comments he made while teaching his Intermediate Microeconomics course in the fall of 2020, including his use of the term “Oriental” to refer to Asian people and Asian architecture in discussing rent control, his reference to slaveowners in discussing authoritarianism, his teaching the marital asymmetry hypothesis as an alternative to the theory that the gender wage gap reflects discrimination, and other pedagogically relevant remarks touching on race or gender.⁷ Loyola claimed Block’s remarks created “a hostile learning environment for . . . female students and students of color,”⁸ and required him to undertake diversity, equity, and inclusion (DEI) training, which he has since completed.

³ *Fire Walter Block*, CHANGE.ORG, <https://www.change.org/p/loyola-university-new-orleans-administration-fire-walter-block> [<https://perma.cc/MYU7-9BQD>].

⁴ Emma Ruby & Rose Wagner, *Clashing petitions call for Walter Block to be fired, given a raise over academic work*, MAROON (June 17, 2020), <https://loyolamaroon.com/10028406/news/academic/petitions-call-for-walter-block-to-be-fired-given-a-raise-over-academic-work>. The New York Times added the following note to the article: “An earlier version of this article referred imprecisely to the views of Walter Block on slavery. While Mr. Block has said that the daily life of slaves was ‘not so bad,’ he opposes slavery because it is involuntary, and he believes reparations should be paid.” Sam Tanenhaus and Jim Rutenberg, *Rand Paul’s Mixed Inheritance*, N.Y. TIMES (Jan. 25, 2014), <https://www.nytimes.com/2014/01/26/us/politics/rand-pauls-mixed-inheritance.html>; Bill Donahue, *New York Times Settles Libel Suit Over Slavery Quotes*, LAW360 (May 11, 2018), <https://www.law360.com/articles/1042601/new-york-times-settles-libel-suit-over-slavery-quotes>.

⁵ Ruby & Wagner, *supra* note 4.

⁶ *Id.*

⁷ Letter from Tanuja Singh, Provost and Senior Vice President of Academic Affairs to Block (Apr. 28, 2021) (on file with author); Email from Carol Ann McGregor, Vice Provost, Loyola Univ. New Orleans, to Walter Block (Dec. 11, 2020, 11:38 AM) (on file with author).

⁸ Letter from Singh to Block, *supra* note 7.

In July 2021, following another investigation, Loyola sanctioned Block for discussing wages and productivity in his Principles of Microeconomics class via a hypothetical in which he and two students picked cotton at different speeds, to explain that employers pay the most productive worker the highest wage. A student of color took offense at being included in the hypothetical, and further complained about Block's illustration of worker productivity using asserted stereotypes about Asians and Harvard graduates not being good at basketball to explain why the New York Knicks did not accurately estimate the ability of a particular player (Jeremy Lin). Loyola compelled Block to write an apology to the complainant and imposed a mandatory review of his class syllabi by the dean before each semester.⁹

On October 7, 2021, Vice Provost Uriel Quesada emailed Block to inform him of a complaint concerning comments and readings from his Law and Economics course, namely Block's alleged use of the terms "Oriental" and "good girl," his "comparison between Gandhi and Hitler as two people on the same side of a left/right, good/bad spectrum," and his use of a reading from the Mises Institute, an organization which the complainant alleged has possible connections to Neo-Nazi ideology.¹⁰

As a result of this complaint and others, Block attended additional sessions with a DEI trainer at Loyola's "request."¹¹ The trainer's report of the sessions stated:

[Block's] libertarian views may seem extreme to many; in addition his penchant to provoke and incite in dialogue as a means of teaching seems to exacerbate current standards of appropriate classroom engagement. The titles of his books and a survey of his scholarly work attest to this ongoing provocative and inflammatory engagement strategy.¹²

The trainer recommended that Loyola "engage a coach specifically designed to work with Dr. Block on expanding his classroom facilitation skills."¹³

On December 10, 2021, Provost Tanujah Singh notified Block that three different students had filed additional complaints against Block for his speech. Singh accused Block of creating a "hostile and discriminatory environment," and threatened to initiate termination proceedings due in part to "the number of complaints we received regarding the substantially same alleged conduct" and Block's "apparent continued violation of [his] obligations under the Faculty Handbook."¹⁴ Importantly, although Block received notice of the complaints in December 2021, the complaints are dated more than a year prior: June 12 and June 17, 2020—around the same time as the 2020 petition to fire him that led to remediation Block already had

⁹ Letter from Singh to Block, July 29, 2021 (on file with author).

¹⁰ Email from Uriel Quesada, Vice Provost for Institutional Research, Accreditation, and Academic Engagement, Loyola Univ. New Orleans, to Block (Oct. 18, 2021, 2:27 PM) (on file with author); Email from Quesada to Block (Oct. 7, 2021, 2:59 PM) (on file with author).

¹¹ Letter from Singh to Block, Sept. 26, 2022 (on file with author).

¹² Report on Coaching Sessions with Dr. Walter Block, Fall 2021 (on file with author).

¹³ *Id.*

¹⁴ Letter from Singh to Block, Dec. 10, 2021 (on file with author).

completed.¹⁵ One complaint, in fact, concerned comments Block allegedly made in an unidentified 2017 class that women and people of color “are paid less because they don’t work as hard” and that “the Disability Act shouldn’t exist”; another cited Block’s “Wikipedia page, things he’s said, actions in classes, and PUBLIC DEBATES . . . stating ‘slavery wasn’t that bad’ and that women make less money because they’re lazy or incapable”; a third simply alleged generically that he “expressed his racism, homophobia, transphobia, and sexism publicly in classes, in his writings, and in his emails.”¹⁶

In a September 2022 letter notifying Block of the results of Loyola’s investigation of the October 2021 complaint, Singh told Block:¹⁷

The University also has an obligation under Title IX to ensure that the educational environment is welcoming, equitable and not permeated by ridicule and comments that are derogatory on the basis of gender, race or any other classification. You might consider your teaching style to simply involve challenging banter. It does not.

Singh directed Block to comply with the following (verbatim):¹⁸

- A written plan to obtain the necessary facilitation coaching, which must be approved by the Dean.
- A report on the outcomes of the facilitation training with specific strategies to refrain from engaging in conduct that may be harmful to our students.
- Continued review of your class syllabi by the Dean prior to the commencement of each semester.

Singh closed the letter by again threatening to initiate termination proceedings against Block if Loyola receives additional student complaints that he has “adversely impacted their learning environment and an investigation confirms these assertions.”¹⁹ Block has not received any further communications regarding the December 2021 complaints.

II. Loyola’s Promises of Free Expression and Academic Freedom Protect Block’s Classroom Speech and Pedagogical Decisions

Loyola’s policies protecting academic freedom and expressive rights, which are coextensive with those the First Amendment guarantees, clearly protect each of Block’s identifiable comments that Loyola is investigating or for which it has sanctioned him. Academic freedom both extends to faculty’s extramural speech and gives them broad discretion to use their special

¹⁵ Email from Quesada to Block (Jan. 07, 2022, 10:38 AM) (on file with author).

¹⁶ *Id.*

¹⁷ Letter from Singh to Block, *supra* note 11.

¹⁸ *Id.*

¹⁹ *Id.*

knowledge and expertise to communicate pedagogically relevant material and ideas to students as the instructor sees fit, without administrative interference or censorship. Even if some find Block's speech or views offensive, they do not amount to hostile environment harassment, discrimination, or violations of any other Loyola policy. Accordingly, Loyola has no grounds to punish Block for his protected expression.

A. Loyola Grants Its Faculty Expressive Rights Commensurate with Those Enshrined in the First Amendment

As a private institution, Loyola is not directly bound by the First Amendment, but it is morally and contractually bound by its own policies that extend to each faculty member "the enjoyment of *constitutionally protected* freedoms of action and expression, and the right to dissent, without jeopardizing his or her livelihood."²⁰ The Faculty Handbook also states that "[e]ach faculty member has the right to present subject matter in the manner he or she deems most suitable, as well as the right to present controversial material relevant to a course of instruction."²¹

The Faculty Handbook's policy on academic freedom likewise extends to faculty "the right to personal beliefs and to express those beliefs without fear of reprisal directly or indirectly" and affirms that "[h]onest academic inquiry, controversy or debate is not to be shackled."²² While professors may not harass or intimidate students, "[t]o teach or to advocate an idea or doctrine is *always* legitimate" and "[a]ny position may be argued."²³

These promises embody expressive freedom guaranteed by the Constitution, which protects academic freedom because it is of "special concern to the First Amendment."²⁴ As the Supreme Court has recognized, "vigilant protection of constitutional freedoms is nowhere more vital" than in institutions of higher education, as the "classroom is peculiarly the 'marketplace of ideas[.]'"²⁵

B. Loyola May Not Restrict Block's Pedagogically Relevant Classroom Expression on the Basis That Some Find It Offensive

The principles of free speech and academic freedom do not protect only or even primarily non-controversial expression—rather, they exist precisely to protect speech that some or even most members of a community may find controversial or offensive.²⁶ In the classroom context, a

²⁰ LOYOLA UNIV. NEW ORLEANS, FACULTY HANDBOOK ch. 8(A) (2021), http://academicaffairs.loyno.edu/sites/academicaffairs.loyno.edu/files/Final-Complete-Faculty-Handbook-2020-2021v1_1.pdf (emphasis added). Chapter 6 of the faculty handbook states that chapters 4 through 16, encompassing the guarantees of academic freedom, "set forth the contractual conditions of the Ordinary Faculty." FACULTY HANDBOOK ch. 6(A).

²¹ FACULTY HANDBOOK, *supra* note 20, at ch. 8(A).

²² FACULTY HANDBOOK, *supra* note 20, at ch. 8(C).

²³ *Id.* (emphasis added).

²⁴ *Keyishian v. Bd. of Regents*, 385 U.S. 589, 603 (1967).

²⁵ *Id.* (quoting, in part, *Shelton v. Tucker*, 364 U.S. 479, 487 (1960)).

²⁶ *See, e.g., Texas v. Johnson*, 491 U.S. 397, 414 (1989) ("If there is a bedrock principle underlying the First Amendment, it is that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable.").

professor's lectures, materials, or remarks, "however repugnant" to students or others, are "protected by the First Amendment" when "germane to the classroom subject matter."²⁷ This renders Loyola's investigation and sanctions of Block illegitimate.

As an initial matter, Loyola is apparently investigating stale, vague complaints from June 2020 that seem to involve the same alleged speech it already deemed protected by its academic freedom policies—namely, Block's alleged comments about slavery, the gender pay gap, and the ADA. When students called for Loyola to take action against Block in 2020, then-President Tetlow correctly recognized Block's speech was protected by his right to academic freedom (even if that position was later abandoned when Loyola wrongfully punished Block in 2021 for protected classroom speech). The now-revived June 2020 complaints are not meaningfully different, and in some instances appear to involve the *same exact* speech previously addressed, subjecting Block to fundamentally unjust treatment akin to double jeopardy.²⁸ What was true then remains true now: Loyola cannot sanction Block for pedagogically relevant classroom speech or extramural speech merely because others—inside or outside of the classroom—subjectively find it offensive or misguided.

To the extent these complaints might refer to other comments Block made, they fail to state in sufficient detail what Block is alleged to have said, when he said it, or where he said it. One complaint, for instance, vaguely asserts Block "expressed his racism, homophobia, transphobia, and sexism, in his writings, and in his emails," without citing a single class, writing, or email. This denies Block due process by leaving him no meaningful opportunity to defend himself.²⁹

As to the October 2021 complaint, there is no question Block's comments and reading assignments in his Law and Economics class were pedagogically relevant, and the complaint fails to identify any speech not protected by academic freedom. Block made his comments about Gandhi and Hitler while discussing the left-right political spectrum often used to evaluate individuals' political and economic views—a topic clearly relevant to the course's aim

²⁷ *Hardy v. Jefferson Cmty. Coll.*, 260 F.3d 671, 674–75, 679, 683 (6th Cir. 2001) (First Amendment protected adjunct instructor's use of the words "lady," "girl," "faggot," "nigger," and "bitch" in lecture discussing how "language is used to marginalize minorities and other oppressed groups in society," as instructor's use of those words was "clearly" relevant to his lecture exploring the "social and political impact of certain words," and was not "gratuitously used . . . in an abusive manner."). Again, while the First Amendment does not directly bind Loyola as a private institution, its express promises to faculty of freedom of expression consistent with the Constitution means they would reasonably expect the First Amendment to provide the floor for what faculty speech is protected.

²⁸ The Double Jeopardy Clause of the Fifth Amendment prevents the government from trying a person twice for the same offense, recognizing authorities "should not be allowed to make repeated attempts to convict an individual for an alleged offense, thereby subjecting him to embarrassment, expense and ordeal and compelling him to live in a continuing state of anxiety and insecurity, as well as enhancing the possibility that even though innocent he may be found guilty." *Green v. United States*, 355 U.S. 184, 187–88 (1957).

²⁹ Loyola recognizes the importance of due process when seeking suspension or termination of a tenured faculty member, including a statement notifying the accused of the alleged grounds for disciplinary action with "reasonable particularity," and similar protections should apply when faculty are otherwise subject to potential punishment. FACULTY HANDBOOK, *supra* note 20, at ch. 9(B)(1)(a), (C)(3). As courts have recognized, due process requires authorities to give reasons for their actions "in sufficient detail that the affected party can prepare a responsive defense." *Barnes v. Healy*, 980 F.2d 572, 579 (9th Cir. 1992) (citing *Goldberg v. Kelly*, 397 U.S. 254, 267–68 (1970)).

to “explore the various schools of thought regarding the field of law and economics,” such as Marxism, conservatism, modern liberalism, and libertarianism.³⁰ In the midst of this discussion, Block was well within his academic freedom rights to draw whatever relevant comparison he desired between Gandhi and Hitler.³¹

Academic freedom likewise protects Block’s in-class mention of terms that some might find offensive or outdated, such as “atta boy,” “atta girl,” and “Oriental,” when not used in a manner constituting punishable harassment.³² Per Loyola’s academic freedom policy, faculty have the freedom to teach their courses in the manner they deem most suitable, and there is no basis to punish a professor for the fleeting use of words that some might find offensive.³³ While the university would undoubtedly have the authority, if not the obligation, to penalize harassment of students (e.g., repeatedly calling a student a racial slur), Block’s remarks did not describe nor were they directed at any particular student in the class.³⁴ To the contrary, Block was stating his intention to stop using terms students find offensive.³⁵

The same course included three required readings—each germane to the subject matter of the class—published or reprinted by the Mises Institute, a well-known think tank that promotes the Austrian school of economics and libertarian political theory: “Law, Property Rights, and Air Pollution,” “The Law,” and “Against Intellectual Property.”³⁶ Notably, the complaint objects not to the *content* of any of these readings, but rather to a 2017 speech by the president

³⁰ Dr. Walter E. Block, *Syllabus: ECON B330-001, Law and Economics* (Fall 2021) (on file with author).

³¹ Moreover, the complaint misconstrues Block’s comments. Block drew a left-right spectrum and placed various historical figures on it. One student volunteered Gandhi, and Block placed him on the right because he was a “free enterpriser.” Block also placed Hitler on the right, and Stalin and Mother Theresa on the left. Contrary to the implication of the complaint, the purpose of the exercise was to demonstrate the *inadequacy* of the unidimensional left-right spectrum. Block said it was “ludicrous, just crazy” to, for example, have Mother Theresa near Stalin, adding, “I reject this political spectrum,” and suggesting the addition of a good-bad axis. Loyola Univ. New Orleans, *walter block’s Personal Meeting Room, ZOOM* (Aug. 23, 2021), <https://bit.ly/3tqK4vW>. But even if the complaint had accurately construed Block’s remarks, they would still be protected as they were pedagogically relevant and Loyola’s academic freedom policy expressly provides that “[a]ny position may be argued.” FACULTY HANDBOOK, *supra* note 20, at ch. 8(C).

³² At no point during the lecture did Block say “good girl” as stated in the complaint, which presumably meant to refer to Block’s mention of “atta girl.” See *walter block’s Personal Meeting Room, supra* note 31. As discussed in the next section, these comments could not satisfy the stringent standard for actionable harassment.

³³ *Cohen v. California*, 403 U.S. 15, 25 (1971) (First Amendment precluded punishment for wearing a jacket emblazoned with the words “Fuck the Draft”); *Hardy*, 260 F.3d at 675, 679, 683 (6th Cir. 2001) (First Amendment protected instructor’s use of words “lady,” “girl,” “faggot,” “nigger,” and “bitch” in course on “language and social constructivism,” as they were relevant to the instructor’s lecture).

³⁴ See *infra* § II.C.

³⁵ Block noted that when he was young, there were certain terms that were acceptable to use that are now considered unacceptable, noting as examples “‘atta boy’ or ‘atta girl,’ or ‘Oriental’ when referring to people.” Block explained he is trying to stop using such language, but he “just turned 80, and my language skills are sort of embedded in me based on past experience, so if I say something that is problematic, just let me know, and I will apologize for it and we will go on and I’ll try not to [use offensive language].”

³⁶ *Syllabus, supra* note 30. See also *About Mises*, MISES INST., <https://mises.org/about-mises> [<https://perma.cc/A2E8-F2QU>].

of the Mises Institute entirely unrelated to them, which included the phrase “blood and soil.”³⁷ Academic freedom principles clearly preclude Loyola from investigating or punishing Block for assigning pedagogically relevant texts because someone remotely affiliated with their publication once said something controversial. Block’s decision to use these readings was a straightforward exercise of his “right to present subject matter in the manner he . . . deems most suitable, as well as the right to present controversial material relevant to a course of instruction.”³⁸

C. *None of Block’s Comments Constitute Harassment*

Charges that Block’s comments created a hostile learning environment for female students or students of color are meritless. In order for conduct (including expression) in the educational setting to constitute actionable harassment, it must be (1) unwelcome, (2) discriminatory on the basis of gender or another protected status, and (3) “so severe, pervasive, and objectively offensive that it can be said to deprive the victims of access to the educational opportunities or benefits provided by the school.”³⁹ Block’s remarks do not meet this strict standard.

Loyola’s legal obligations to address harassment are not, as the Department of Education Office for Civil Rights has made clear, intended to “restrict the exercise of any expressive activities protected” by the First Amendment, and harassment—in order to be punishable as unprotected—“must include something beyond the mere expression of views, words, symbols or thoughts that some person finds offensive.”⁴⁰ As a result, Loyola’s interest in addressing harassment does not create a catchall to punish any speech related to a sensitive subject like race or gender that a student may find offensive. Otherwise, Loyola’s promise to its faculty of “the enjoyment of constitutionally protected freedoms of action and expression” would depend on the subjective approval of administrators, rendering the university’s commitment illusory.⁴¹

None of Block’s comments satisfy the constitutional standard for harassment, or even Loyola’s own prohibition on discriminatory harassment, which renders actionable only “verbal or physical conduct *directed at an individual* because of his or her race” or other protected characteristic, that *also* “intentionally stigmatizes the individual to invoke violence or harm,” or is “of a severe and/or pervasive nature such that it creates an intimidating, hostile or offensive working, academic or campus environment,” or “unreasonably interferes with an individual’s work or academic performance.”⁴² The accusation of harassment against Block fails step one of the analysis, as none of Block’s comments were directed at a particular student on account of race or any other protected characteristic. Nor do Block’s comments satisfy the

³⁷ Jeff Deist, President, Mises Inst., For a New Libertarian, Address at the 2017 Mises University (July 28, 2017), *available at* <https://mises.org/wire/new-libertarian> [<https://perma.cc/F27P-9MG2>]; Email from Quesada to Block (Oct. 18, 2021, 2:27 PM) (on file with author).

³⁸ FACULTY HANDBOOK, *supra* note 20, at ch. 8(A).

³⁹ *Davis v. Monroe Cnty. Bd. of Educ.*, 526 U.S. 629, 650 (1999).

⁴⁰ U.S. DEP’T OF EDUC., Dear Colleague Letter from Gerald A. Reynolds, Assistant Sec’y for Civil Rights (July 28, 2003), <https://www2.ed.gov/about/offices/list/ocr/firstamend.html> [<https://perma.cc/ES7R-5DRK>].

⁴¹ *Meriwether v. Hartop*, 992 F.3d 492, 510 (6th Cir. 2021) (“Purportedly neutral non-discrimination policies cannot be used to transform institutions of higher learning into ‘enclaves of totalitarianism.’”).

⁴² FACULTY HANDBOOK, *supra* note 20, at ch. 1(F)(III) (emphasis added).

balance of Loyola's definition. That a student might have strongly disagreed with Block's libertarian views or found his language offensive or disagreeable is insufficient to qualify as discriminatory harassment.

III. Loyola Must Not Punish Block for His Protected Expression

Loyola does a disservice to both its faculty and students when it falsely equates a professor's "punchant to provoke and incite in dialogue as a means of teaching" with creating a hostile learning environment. Provoking students to think critically, challenge their assumptions, and engage in dialogue is a fundamental purpose of higher education. Students may sometimes feel uncomfortable or upset when they encounter new and challenging ideas or perspectives. That is part of learning.

As the American Association of University Professors observed:⁴³

Instruction cannot proceed in the atmosphere of fear that would be produced were a teacher to become subject to administrative sanction based upon the idiosyncratic reaction of one or more students. This would create a classroom environment inimical to the free and vigorous exchange of ideas necessary for teaching and learning in higher education.

In accord with its unequivocal promises of academic freedom, Loyola must rescind all sanctions imposed on Block as a result of his protected speech and expeditiously dismiss the vague and meritless December 2021 complaints if they are still pending. We respectfully request a substantive response to this letter no later than the close of business on November 14, 2022.

Sincerely,



Aaron Terr
Senior Program Officer, Campus Rights Advocacy

Cc: Tanuja Singh, Provost and Senior Vice President of Academic Affairs
Michael L. Capella, Dean, College of Business

Encl.

⁴³ Am. Ass'n of Univ. Professors, Report: Freedom in the Classroom 58 (2007) (footnote omitted), <https://www.aaup.org/file/ACASO07FreedomClassrmRpt.pdf> [<https://perma.cc/E8GB-8HYC>].

Authorization and Waiver for Release of Personal Information


I, WALTER BLOCK, do hereby authorize
Loyola University New Orleans (the "Institution") to release
to the Foundation for Individual Rights and Expression ("FIRE") any and all
information concerning my employment, status, or relationship with the Institution.
This authorization and waiver extends to the release of any personnel files,
investigative records, disciplinary history, or other records that would otherwise be
protected by privacy rights of any source, including those arising from contract, statute,
or regulation. I also authorize the Institution to engage FIRE and its staff members in a
full discussion of all information pertaining to my employment and performance, and,
in so doing, to disclose to FIRE all relevant information and documentation.

This authorization and waiver does not extend to or authorize the release of any
information or records to any entity or person other than the Foundation for Individual
Rights and Expression, and I understand that I may withdraw this authorization in
writing at any time. I further understand that my execution of this waiver and release
does not, on its own or in connection with any other communications or activity, serve
to establish an attorney-client relationship with FIRE.

If the Institution is located in the State of California, I request access to and a copy of
all documents defined as my "personnel records" under Cal. Ed. Code § 87031 or Cal.
Lab. Code § 1198.5, including without limitation: (1) a complete copy of any files kept
in my name in any and all Institution or District offices; (2) any emails, notes,
memoranda, video, audio, or other material maintained by any school employee in
which I am personally identifiable; and (3) any and all phone, medical or other records
in which I am personally identifiable.

This authorization and waiver does not extend to or authorize the release of any
information or records to any entity or person other than the Foundation for Individual
Rights and Expression, and I understand that I may withdraw this authorization in
writing at any time. I further understand that my execution of this waiver and release
does not, on its own or in connection with any other communications or activity, serve
to establish an attorney-client relationship with FIRE.

I also hereby consent that FIRE may disclose information obtained as a result of this
authorization and waiver, but only the information that I authorize.


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Signature

10/18/2022
Date