



January 4, 2024

Dr. Kathleen M. Murray
Office of the President
Hamline University
1536 Hewitt Avenue, MS-C1914
Saint Paul, Minnesota 55104

Sent via Electronic Mail (president@hamline.edu)

Dear President Murray:

I write to you today on behalf of the Foundation for Individual Rights and Expression (FIRE) to congratulate you on your recent appointment as Acting/Interim President of Hamline University and to discuss ways FIRE can collaborate with your administration to improve the climate for free expression on campus early in your tenure.

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 university campuses. We have a plethora of resources available to assist you in protecting student and faculty expression, all free of charge.

FIRE is proud to offer the only database of college and university speech policies in the United States, the Spotlight database, which includes ratings of almost 500 of the nation's top institutions of higher education.¹ To determine a school's rating, we track its policies governing student expression, identifying policies on public campuses that violate the First Amendment and policies on private campuses that violate institutional promises of free speech.

We have a long history of partnering with university leadership to adopt policies that are consistent with the principles of free expression.² For example, FIRE recently worked with DePauw University – a private institution like Hamline – to revise six of its policies,

¹ *FIRE's Spotlight Database*, FIRE, thefire.org/resources/spotlight (last visited Jan. 4, 2024).

² See, e.g., *Colorado Mesa University earns nation's top free speech rating for colleges*, FIRE (Sept. 30, 2020), thefire.org/news/colorado-mesa-university-earns-nations-top-free-speech-rating-colleges.

earning it FIRE’s overall “green light” rating, which we award to schools that maintain no policies that seriously imperil free speech.³

FIRE also partners with College Pulse⁴ to conduct annual free speech rankings.⁵ Designed to help prospective students choose the right school, this year’s rankings are based on the voices of 55,102 students enrolled at 254 colleges and universities.⁶

You may be familiar with Hamline’s decision at the end of the fall 2022 semester to nonrenew art history instructor Erika López Prater’s contract because she displayed medieval artwork depicting the Prophet Muhammad. Hamline received international condemnation⁷ and FIRE called on it to reinstate López Prater since faculty have academic freedom to teach pedagogically relevant materials.⁸ Although Hamline eventually reaffirmed its commitment to academic freedom,⁹ faculty and students may still feel as if their expression will be chilled given the university’s behavior toward López Prater.

As Hamline’s new president, you are uniquely positioned to take Hamline in a new, positive direction. You have the opportunity to assure the campus community that your administration will defend free speech rights even in the face of controversy and that free speech is not only a moral imperative, but also an essential element of higher education. You can do this by taking a few simple steps.

First, you can ensure Hamline’s speech codes robustly protect free speech principles. Our Policy Reform team can help you reinforce Hamline’s commitment to free speech by reviewing your written policies and providing suggestions for how you can bring them in line with the free speech principles you promise. Doing so would signal to the campus community that your administration respects their rights and that there is no place for

³ *Best in class: DePauw becomes first private Indiana school to earn ‘green light’ free speech rating*, FIRE (May 5, 2023), thefire.org/news/best-class-depauw-becomes-first-private-indiana-school-earn-green-light-free-speech-rating.

⁴ College Pulse is an online data and analytics company that offers custom data driven marketing and research solutions. *Our Methodology*, What is College Pulse?, COLL. PULSE, collegetpulse.com/methodology/.

⁵ *2024 College Free Speech Rankings*, COLL. PULSE and FIRE, rankings.thefire.org/rank (last visited Jan. 4, 2024).

⁶ *2024 College Free Speech Rankings*, FIRE, thefire.org/research-learn/2024-college-free-speech-rankings (last visited Jan. 4, 2024).

⁷ See Mike Wendling, *Hamline University professor who lost job over Muhammad art sues*, BBC (Jan. 18, 2023), bbc.com/news/world-us-canada-64243344; see also *US professor sues university over Prophet Muhammad image row*, AL JAZEERA (Jan. 18, 2023), aljazeera.com/news/2023/1/18/us-professor-sues-university-over-prophet-muhammad-image-row; see also Vimal Patel, *A Lecturer Showed a Painting of the Prophet Muhammad. She Lost Her Job.*, N.Y. TIMES (Jan. 8, 2023), nytimes.com/2023/01/08/us/hamline-university-islam-prophet-muhammad.html.

⁸ Letter from Sabrina Conza, FIRE Program Officer, to Fayneese Miller, former Hamline Univ. President (Dec. 27, 2022), available at thefire.org/research-learn/fire-letter-hamline-university-december-27-2022.

⁹ Staff, *Statements from Hamline University – January 2023 to Present*, HAMLINE UNIV. (Jan. 17, 2023), hamline.edu/news/2023/01/statements-hamline-university-january-2023-present.

censorship on campus. In our experience, many campus controversies and threats to free speech are mitigated when campus leadership demonstrates a principled, early, full-throated commitment to expressive rights and academic freedom.¹⁰

Additionally, improving Hamline’s speech codes would show alumni their alma mater is working to positively improve the state of free speech on campus. We know alumni across the country care about free speech issues because we have seen the number of alumni free speech groups at colleges and universities across the country grow in recent years.¹¹ We have been encouraged by these groups’ work with school administrations to ensure their institutions uphold the highest principles of free speech and academic freedom. So, if Hamline alumni see their alma mater making efforts to improve the state of free speech on campus, they may be more likely to publicly support and promote Hamline.

Second, Hamline can recommit to freedom of expression by adopting an institutional free speech statement to show that Hamline considers free speech to be an important institutional value. We suggest modeling your policy statement on the University of Chicago’s “Report of the Committee on Freedom of Expression,” better known as the “Chicago Statement.”¹²

FIRE has enthusiastically endorsed the Chicago Statement since its introduction in January 2015, considering it the gold standard for university policy statements regarding free speech and academic freedom. At UChicago, as well as at the more than 100 institutions that have adopted their own version of the Chicago Statement,¹³ adoption of this policy statement has led to significant improvements in the campus climate for free speech. Students, faculty, and administrators benefit from the statement’s instruction about the principles behind the First Amendment. Further, in the process of reviewing, deliberating over, and ultimately endorsing the Chicago Statement, campus stakeholders benefit from reflecting on their approach to oftentimes thorny speech issues.

Adopting an institutional free speech statement would also allow Hamline to catch up to some of its peer institutions like Stetson University, which has already adopted the Chicago Statement.¹⁴

¹⁰ Greg Lukianoff, *Five ways university presidents can prove their commitment to free speech*, FIRE (June 25, 2019), thefire.org/five-ways-university-presidents-can-prove-their-commitment-to-free-speech.

¹¹ *Alumni Group Directory*, FIRE, thefire.org/research-learn/alumni-group-directory (last visited Jan. 4, 2024).

¹² *Report on the Committee on Freedom of Expression*, UNIV. OF CHI. (January 2015), provost.uchicago.edu/sites/default/files/documents/reports/FOECommitteeReport.pdf [perma.cc/YW6E-3RPW].

¹³ The full list of institutions that have endorsed a statement on free speech modeled after the “Chicago Statement” is available at thefire.org/chicago-statement-university-and-faculty-body-support.

¹⁴ *Statement of Principles of Free Expression*, STETSON UNIV., stetson.edu/administration/provost/media/statement-of-principles-of-free-expression.pdf (last visited Jan. 4, 2024).

FIRE's Policy Reform team has worked closely with college and university administrators for years to improve the climate for free expression on campuses nationwide, and we would be pleased to put our experience to work for you and your campus community. You can reach FIRE Director of Policy Reform Laura Beltz at 215-717-3473 or at laura@thefire.org.

Thank you for your attention to this matter. We look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth W Stanley".

Elizabeth Stanley
Program Officer, Engagement and Mobilization

Cc: Patti Klein-Kersten, Vice President and Dean of Students
Andy Rundquist, Interim Provost