

REPORT: RESTRICTIVE CAMPUS SPEECH POLICIES SEE RECORD DECLINE

The Foundation for Individual Rights in Education (FIRE)

PHILADELPHIA, Dec. 12, 2016—This year, the Foundation for Individual Rights in Education (FIRE) saw an unprecedented decline in the percentage of universities maintaining written policies that severely restrict students' free speech rights. This is the ninth year in a row that the percentage has dropped.

Released today, [*Spotlight on Speech Codes 2017: The State of Free Speech on Our Nation's Campuses*](#) reports on written policies at 449 of America's largest and most prestigious colleges and universities, all of which are accessible online in FIRE's [searchable Spotlight speech code database](#). FIRE [rates schools](#) as "red light," "yellow light," or "green light" institutions based on how much, if any, protected speech their policies restrict. The report's findings were first featured in an editorial in this weekend's [Wall Street Journal](#).

Major findings from *Spotlight on Speech Codes 2017* include: 39.6 percent of surveyed institutions maintain severely restrictive, red light speech codes—a nearly 10 percentage point drop from last year's 49.3 percent.

Of the 449 schools surveyed, 27 received FIRE's highest, green light rating for free speech. This number is up from 22 schools as of [last year's report](#).

Twenty schools or faculty bodies in FIRE's Spotlight database adopted statements in support of free speech modeled after the one [adopted by the University of Chicago](#) in January 2015.

"The precipitous decline in restrictive speech codes means thousands of current and future students and faculty members will not be subject to policies that clearly violate their basic rights," said FIRE Vice President of Policy Research Samantha Harris.

"Over the past year, FIRE used all the resources at our disposal to achieve this result. We've worked collaboratively with college administrators and [even members of Congress](#) to reform policies, and [litigated against speech codes](#) when necessary. FIRE will continue our reform efforts until the last speech code is eliminated."

As the report details, however, there are still serious threats to free speech on campus: 237 schools surveyed received a yellow light rating (52.8%). Yellow light policies restrict narrower categories of speech than red light policies do, or are vaguely worded in a way that could too easily be used to suppress protected speech, and are unconstitutional at public universities.

Of the institutions surveyed for this report, roughly 1 in 10 have "free speech zone" policies—policies limiting student demonstrations and other expressive activities to small and/or out-of-the-way areas on campus.

Hundreds of colleges have implemented bias reporting systems to solicit reports of bias on campus, which most universities explicitly define to encompass speech *protected* by the First Amendment. FIRE will release detailed metrics on these systems in the coming days.

“There are positive developments, but in many ways the climate for free speech on campus is more troubling than ever,” said Harris. “There are increasing demands from students for censorship, yellow light speech codes that don’t pass First Amendment muster are still a serious problem, and bias reporting systems are growing in popularity. It’s important that free speech advocates not rest on their laurels and remain diligent in defending this core civil right.”

[*Spotlight on Speech Codes 2017: The State of Free Speech on Our Nation’s Campuses*](#) can be read in full on FIRE’s website. FIRE also [released a Google Chrome extension](#) that will notify visitors to college websites of FIRE’s speech code ratings.

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 America’s college campuses. The above report originally appeared on FIRE’s website on 12 December 2016, <https://www.thefire.org/report-restrictive-campus-speech-policies-see-record-decline/>