



March 29, 2019

Dr. Denece Huftalin
Secretary, Board of Commissioners
Northwest Commission on Colleges and Universities
8060 165th Avenue NE, Suite 100
Redmond, Washington 98052

Sent via Electronic Mail (standards@nwccu.org)

Dear Dr. Huftalin:

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.

FIRE writes you today to express our serious concern about the Northwest Commission on Colleges and Universities' (NWCCU's) proposed revisions to its Standards of Accreditation. Per our review of the revisions, NWCCU appears poised to eliminate its current standard regarding institutional protection of academic freedom and freedom of expression.

NWCCU's current standards explicitly require accredited institutions to maintain and honor published policies protecting the academic freedom and expressive rights of students and faculty.¹ The "Academic Freedom" subsection of "Standard Two – Resources and Capacity" specifically mandates that an accredited institution must "publish[] and adhere[] to policies, approved by its governing board, regarding academic freedom and responsibility that protect its constituencies from inappropriate internal and external influences, pressures, and harassment." In so doing, institutions must ensure that students and faculty are "intellectually free to examine thought, reason, and perspectives of truth."

In stark contrast, the proposed "2020 Standards for Accreditation" entirely eliminate this subsection.² No replacement or comparable analog is provided. While both the current and proposed standards require institutions to publish clear, accessible "policies and procedures" regarding students' "rights and responsibilities," and to administer such policies in a "fair and

¹ NW. COMM'N. ON COLLS. AND UNIVS., NWCCU STANDARDS (2019), <http://www.nwccu.org/accreditation/standards-policies/standards>.

² NW. COMM'N. ON COLLS. AND UNIVS., 2020 STANDARDS FOR ACCREDITATION, <http://www.nwccu.org/wp-content/uploads/2019/01/Standards-for-Accreditation-2020-v6.pdf>.

consistent manner,” this requirement is rendered hollow without a corresponding requirement regarding the substantive nature of those rights.

We recognize that both the current and proposed “Eligibility Requirements for Candidates for Accreditation and Accredited Higher Education Institutions” specify that institutions must “maintain[] an atmosphere in which intellectual freedom and independence exist,” in which “[f]aculty and students are free to examine and test all knowledge appropriate to their discipline or area of major study as judged by the academic/educational community in general.”³ But this eligibility requirement presents a significantly weaker conception of academic freedom and expressive rights than that specified by the current standards, and its retention does not ameliorate NWCCU’s proposed elimination of the Academic Freedom standard.

As the federally recognized accreditor for 162 institutions of higher education across seven states, NWCCU’s accrediting standards and requirements impact thousands of students and faculty. Eliminating the standard governing the academic freedom and freedom of expression protections required of accredited institutions leaves student and faculty rights at grave risk. The potential for lasting harm is particularly acute today, given the widely documented threats to faculty expression nationwide⁴ and the continuing prevalence of censorship of student speech.⁵

To best serve the students and faculty at its accredited institutions, NWCCU must not abandon its commitment to academic freedom and free speech. Instead, NWCCU should retain and even expand the current language included in Standard Two. FIRE would be pleased to assist. We thank you for your attention to our concerns.

Sincerely,



Will Creeley
Senior Vice President of Legal and Public Advocacy

³ NW. COMM’N. ON COLLS. AND UNIVS., ELIGIBILITY REQUIREMENTS FOR CANDIDATES FOR ACCREDITATION AND ACCREDITED HIGHER EDUCATION INSTITUTIONS, [http://www.nwccu.org/accreditation/eligibility-requirements/\(current\)](http://www.nwccu.org/accreditation/eligibility-requirements/(current)); NW. COMM’N. ON COLLS. AND UNIVS., ELIGIBILITY REQUIREMENTS FOR CANDIDATES FOR ACCREDITATION AND ACCREDITED HIGHER EDUCATION INSTITUTIONS, <http://www.nwccu.org/wp-content/uploads/2019/01/Eligibility-Requirements2020v3.pdf> (proposed).

⁴ See, e.g., AM. ASS’N OF UNIV. PROFESSORS, TARGETED ONLINE HARASSMENT OF FACULTY (Jan. 31, 2017), <https://www.aaup.org/news/targeted-online-harassment-faculty>. See also Laura Pappano, *Professors as Targets of Internet Outrage*, N.Y. TIMES, Aug. 4, 2017, <https://www.nytimes.com/2017/08/04/education/edlife/internet-trolls-social-media-professors.html> (“Many professors who have expressed their views about race and politics this year have found themselves targets of both the left and right.”); Beth McMurtrie, *What Colleges Can Do When the Internet Outrage Machine Comes to Campus*, CHRON. OF HIGHER ED., June 26, 2017, <https://www.chronicle.com/article/What-Colleges-Can-Do-When-the-/240445> (“Faculty members nationwide have been harassed and threatened with death for statements that were sometimes twisted or taken out of context.”).

⁵ See, e.g., SPOTLIGHT ON SPEECH CODES 2019, FOUND. FOR INDIVIDUAL RIGHTS IN EDUC., thefire.org/spotlight/reports/spotlight-on-speech-codes-2019.