



REPORTING ON ACADEMIC FREEDOM

A guide for student journalists

From the Center for Public Integrity

About this guide

As a college journalist, you're in the thick of the story about whether an unraveling American democracy will survive.

That's because this battle isn't only about the right to vote, as important as that is.

It's about ideas.

The reason authoritarians have consistently sought to control, subvert or repress institutions of higher education through history is that ideas matter, and colleges and universities produce a lot of them.

We think college journalists are among the best positioned to cover this evolving beat. You can provide vital reporting that people off campus would struggle to do as quickly or as well.

Too often, if you don't report on the issues you're seeing at your college or university, no one will.

This guide is designed to help. It provides an overview, ideas for finding stories, records request templates and other resources.

About us: The Center for Public Integrity is a Pulitzer Prize-winning nonprofit newsroom that investigates inequality. We often partner with other newsrooms and put together toolkits to help local news organizations dig deeply into topics that affect their communities. As part of our reporting about [attacks on academic freedom](#), we want to help you investigate what's happening on your campus, and beyond.

We hope this guide will be useful to you.



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Getting up to speed

What is academic freedom, anyway?

The [American Association of University Professors](#) defines it as the ability for teachers and researchers to investigate, discuss, teach and publish findings in their field “without interference from political figures, boards of trustees, donors, or other entities.”

A [Colorado State University guide](#) to the topic defines how the concept affects students there: “Academic freedom protects you when you disagree with your instructor or other students in the context of class discussions and assignments.”

As PEN America notes in its [campus free speech guide](#), “academic freedom is mostly between an institution and its faculty, beholden not only to law but also to bedrock traditions of intellectual independence.”

Academic freedom isn’t just freedom of speech, in other words. But there’s a lot of overlap between the two in the United States. In a key [U.S. Supreme Court ruling](#) in 1957, Chief Justice Earl Warren wrote, “To impose any strait jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation.”

That case grew out of the “[Red Scare](#)” period, when politically motivated efforts to find and squash communists ran roughshod over civil liberties in the country, including those of students and teachers.

It probably won’t surprise you that many people are drawing comparisons between then and now.

Some examples of pressures brought to bear by politicians and partisan groups:

- Multiple Republican-led states have enacted laws restricting instruction in colleges and universities related to [critical race theory](#). That's in addition to laws banning such instruction in public schools.
- A conservative push against diversity, equity and inclusion efforts on campus, known as DEI, is producing statewide bans. Florida's anti-DEI law passed in 2023, for instance, [prevents public universities and colleges from funding DEI programs](#) with state or federal money. Mississippi's auditor demanded [data on DEI spending](#) from public universities that same year.
- Republican states are [chipping away at the tenure protections](#) that give professors more security to teach, research and speak up in ways that partisans might dislike.
- Since the beginning of the Israel-Hamas war, several colleges and universities have [adopted or considered policies](#) to restrict political speech, personal opinions and the ability of faculty to weigh in on public policy controversies of the day, especially while using websites and other resources owned by the institutions.
- In the wake of the [U.S. Supreme Court](#) ruling effectively banning what was already a restricted form of affirmative action in higher education, groups are suing to stop a wide variety of [programs](#) and [scholarships](#) to help students of color. Among them is America First Legal, founded by former Trump White House senior advisor Stephen Miller, whose lawsuit against [New York University](#) accuses its law review of discriminating against white men.
- Politically motivated groups are filing lawsuits or complaints against higher-education institutions in an effort to squelch efforts to address disparities connected to the country's long history of racial and gender discrimination. Do No Harm — a group whose [board members](#) include Edward Blum, [whose lawsuit produced the Supreme Court ruling on affirmative action](#) — has asked the U.S. Department of Education to investigate universities for [offering programs aimed at women](#) or people in underrepresented racial groups.
- Other groups have launched “watchlists” of schools or professors, including Turning Point USA's [Professor Watchlist](#), intended “to expose and document college professors who discriminate against conservative students and advance leftist propaganda in the classroom.” Turning Point USA co-founder Charlie Kirk has said the Civil Rights Act of 1964 [was “a huge mistake.”](#)
- In Texas, a professor [was put on leave](#) in 2023 after a student accused her of disparaging the lieutenant governor during a guest lecture on the opioid crisis. (Her university later [cleared her of the allegations.](#))
- In North Carolina, objections from a major donor prompted a university there to [stall on offering journalist Nikole Hannah-Jones tenure](#) for an academic position she'd been recruited to take.

More such examples keep coming.

“Many of these bills include language that purports to uphold free speech and academic inquiry,” PEN America, a group that advocates for free expression, [wrote of recent legislation](#) it terms educational gag orders. “This language, intended to help safeguard these bills from legal and constitutional scrutiny, does little or nothing to change the essential nature of these bills as instruments of censorship.”

Many of the laws are vague enough that what, exactly, they ban is up for debate. That increases the chilling effect they can have, experts warn.

“What does it mean to prohibit professors from teaching about ‘systemic racism, sexism, oppression, or privileges,’ as Florida attempts to do?” two lawyers with ArentFox Schiff [wrote in 2023](#). “Even teaching basic American history courses would be challenging. ... Because many anti-DEI laws are vague and because they may become impractical for day-to-day teaching and research, colleges will struggle to comply.”

A federal court in 2022 issued a preliminary injunction blocking key measures of Florida’s Stop WOKE Act restrictions on higher education. Judges ruling on that law quoted from the dystopian novel 1984 in the [first line of their decision](#):

“‘It was a bright cold day in April, and the clocks were striking thirteen,’ and the powers in charge of Florida’s public university system have declared the State has unfettered authority to muzzle its professors in the name of ‘freedom.’”

What’s happening in the higher-ed space is connected to efforts to [police the information, including books](#), that children can access in public schools and the way that [businesses can respond to longstanding disparities](#) by race and gender. But it’s also a fast-evolving story in and of itself.

This is hitting at the same time as “enemy of the people” framing of journalists affects student reporters, too. Some students writing stories or opinion pieces that intersect with academic freedom issues have faced backlash or [no-contact orders](#).

“I’ve been doing this for about 35 years now, and I’ve not seen an environment like this, ever,” said Mike Hiestand, senior legal counsel at the Student Press Law Center, which defends student journalists’ press freedom rights and offers a [free hotline](#).

So there’s a lot to think about. But also many ways to dive in.

How to find and develop stories on this topic

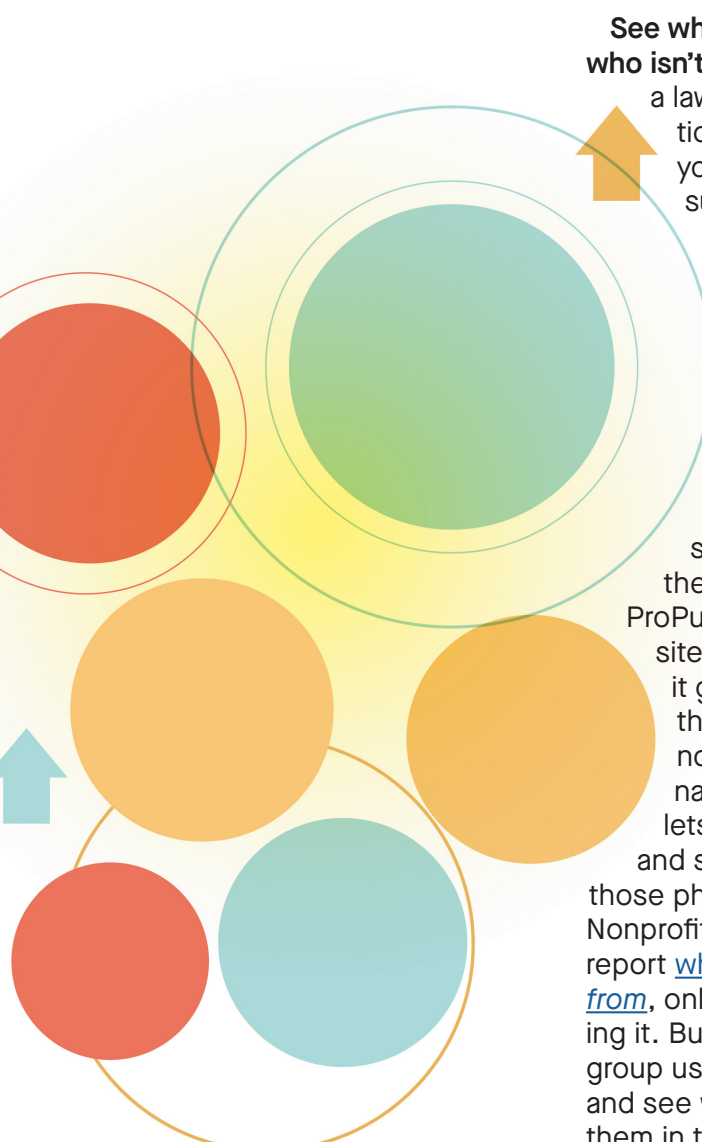
These ideas could prompt stories or lead you in even more interesting directions:

Talk to experts. A Q&A with — for instance — a historian, law professor, administrator or student leader grappling with academic freedom issues is one quick way to explore this topic. That can also help spark ideas about other avenues to pursue. How are things changing? What does that mean for students, faculty, staff or the broader community?

Dig into laws. The full implications of new state laws are still playing out, so you can help shed light on that. If you're in a state that hasn't passed laws in the last few years with academic-freedom consequences, you might want to see if your institution is making changes in anticipation of future legislation or in hopes of staving it off.

See who's applying pressure. Universities and colleges are receiving letters from [interest groups](#), [state attorneys general](#) and others demanding they do or don't do something, in some cases under threat of legal action. Ask who's been writing letters like that to your institution. If it's a public college or university, you can file an official request under your state's public records law. (More on that in a later section.) And don't forget about [scrutiny from Congress](#).





See who's pushing back (and who isn't). When your state passes a law affecting higher education or a group threatens your campus with a lawsuit, what do your campus leaders do? What about faculty groups, student groups, outside organizations?

Follow the money.

Once you know who's pushing for changes at your institution or other institutions in your state, you can look into the funding behind them.

ProPublica's [Nonprofit Explorer](#) site lets you look up nonprofit groups' [financial filings](#) to the IRS. You can search by nonprofit name, people's names or "filing text," which lets you put in search terms and see which filings include those phrases. For instance: Nonprofits typically don't have to report [who they're getting money from](#), only how they're distributing it. But you can search for a group using the "filing text" option and see which organizations cite them in their own financial filings. [OpenSecrets](#), meanwhile, is a good starting point if you're trying to understand who donates to elected officials applying pressure

to higher ed.

Follow the numbers. Is the makeup of the student body changing? What about the faculty? Or the number of applications from potential students, in and out of state? Or the number and type of classes offered in an academic major facing political pressure? Every year will bring more data that can help show what is (and isn't) happening on campus. It may also be worth examining whether federal funding for research is changing in disciplines and areas of study targeted by new state laws.

Check for lawsuits. Cases involving your institution (or other institutions) can produce quick-hit stories. The legal filings and depositions could also help you with deeper enterprise pieces.

Look into scholarships, programs. Are [scholarships](#) or other [programs](#) at your institution pausing, ending or otherwise changing because of either the Supreme Court ruling on affirmative action or pressure campaigns by outside groups? What reasons do your institution cite for the changes? What are the implications? What do the funders of these scholarships say?

Apply fact checks. As you dig in, you'll see claims and counter-

claims. You can focus on one or more of significance to your campus and write about what's true, what's fuzzy and what's plain false.

Tell a day-in-the-life story. If a professor or other member of campus is open to it, you can spend a day or more tagging along to show what's changing. Are professors more cautious? Are there campus administrators responsible for upholding the principles of academic freedom or ensuring compliance with policies that may restrict it?

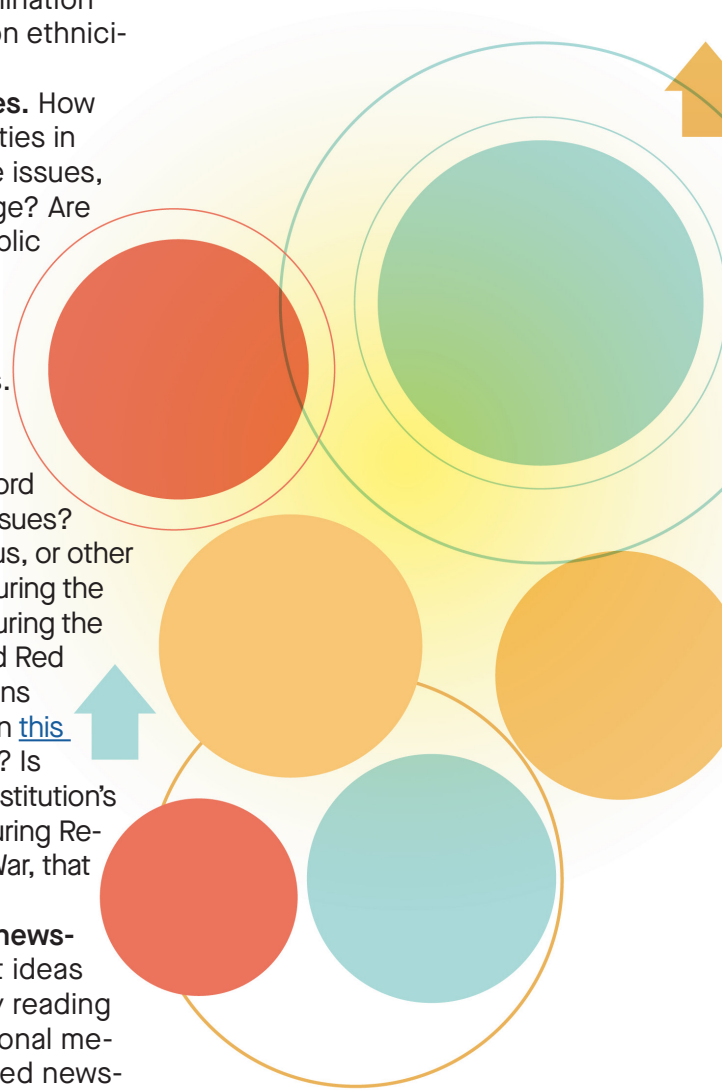
Find out about complaints. Does your institution or state university system have a process for accepting complaints about professors, student groups or other aspects of campus life? (For instance: If your state now restricts DEI on campus, is there a process set up for people to report alleged violations?) See if you can get those complaints. If not, ask for numbers over time. Also ask for memos or instructions about how complaints and any ensuing investigations are to be handled. Related: The U.S. Department of Education's [Office for Civil Rights](#) receives and investigates complaints about discrimination in K-12 and higher education settings. ([Here's a page](#) pulling together "Dear Colleague" letters

the agency sent to campuses about combating discrimination and harassment based on ethnicity and religion.)

Look for the differences. How are colleges and universities in your state handling these issues, and where do they diverge? Are differences based on public vs. private, big vs. small, rural vs. urban, well-resourced vs. tight budgets, historically white vs. [historically Black](#)?

Dig into history. What's your institution's track record with academic freedom issues? What happened on campus, or other campuses in your state, during the Red Scare? What about during the civil rights movement? Did Red Scare and civil rights actions converge on campus, as in [this example in South Carolina](#)? Is there something in your institution's deeper history, such as during Reconstruction or pre-Civil War, that speaks to issues today?

Keep an eye on other newsrooms' stories. You'll get ideas for stories on campus by reading local news sources, national media and education-focused newsrooms such as [The Chronicle of Higher Education](#), [Diverse: Issues in Higher Education](#), [Higher Ed Dive](#) and [Inside Higher Ed](#).



Data sources

From our vantage point of early 2024, it's still too early to measure with data all the impacts from legislative and policy changes of the past few years. But there are ways to get an early taste of the ripple effects. More data will pop up. And existing data sources will become increasingly useful as time goes on.

Some sources to keep an eye on:

Fact books for universities and university systems.

These can be a trove of information about student and faculty demographics, enrollment trends, high school GPA of incoming freshmen, how many faculty are tenure track, etc. You can compare current data to older fact books to see what's changing. [Here, for instance, are Florida fact books.](#)

Legislative trackers.

PEN America is [tracking "educational gag orders"](#) and other bills of concern in the U.S. ([direct link to the tracker here](#)). The Education Trust is tracking [anti-DEI bills](#). You'll likely find other such trackers that can help you see what's pending, what's been enacted and what's failed but might reemerge, as well as similarities across states. (Related: Public Integrity's [Copy, Paste, Legislate tool](#) makes it easier to find so-called "model legislation" being shopped around by interest groups to multiple states.)

Other trackers.

The Foundation for Individual Rights and Expression has a [database](#) documenting "the ways and reasons that scholars have faced calls for sanction" from 2000 to date. You can search by school, political motivation and other variables.

Rankings.

The [Academic Freedom Index](#) put out by the Friedrich-Alexander-Universität Erlangen-Nürnberg and the V-Dem Institute is one such example. (It ranked the U.S. below dozens of other countries in the 2023 report, noting that U.S. states "have increasingly used their authority to interfere in academic affairs since 2021.") The Foundation for Individual Rights and Expression's [annual survey of college undergraduates](#) "about their perceptions and experiences regarding free speech on their campuses" is another ranking.

Funding sources.

ProPublica's [Nonprofit Explorer](#) collects the "Form 990" financial filings of nonprofits to the IRS. You can look up information about your campus or nonprofits associated with it (for instance, the [Trustees for Harvard University](#)). Or put phrases into the "Filing Text" option in the dropdown beside the search bar to find out, for instance, which nonprofits are giving money to groups active on issues you're covering. [OpenSecrets](#), meanwhile, has information about campaign finance and lobbying.

Build your own data.

Journalists can conduct their own surveys, piece together information into spreadsheets, combine datasets to look at problems in new ways, etc. [Here's one write-up](#) about creating a dataset where none existed.

Survey data.

In addition to the Foundation for Individual Rights and Expression's annual survey, noted above, you might find other regular or one-time surveys useful.

FOIA data.

The federal Freedom of Information Act and similar state laws allow you to request public information, including datasets that aren't readily available on public websites. See the next section for guidance.

Remember that data sources are just like any source of information: Some are more accurate than others.

Ask questions. Try to talk to people who know the data best, such as a staffer in charge of gathering it. Look at margins of error, footnotes or other data about the data. Find out what context you need to know to use the information accurately. Understand the motivations of the institution gathering or providing the data.

Public records requests

Filing records requests could help you better understand how your campus is changing.

Public universities, colleges and community colleges are subject to the public records law of their state, though there are exemptions. And the records subject to release aren't consistent across states. Here's a quick guide to [state freedom of information laws](#).

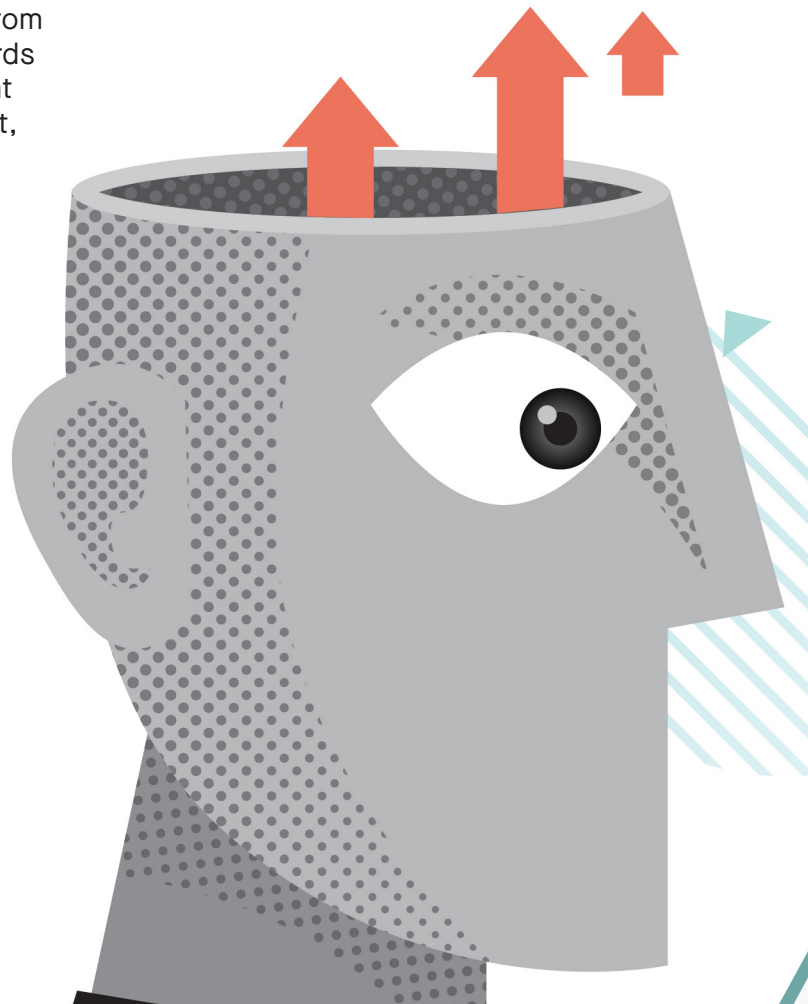
If you're hoping for information from a private institution, there's less public records law can do for you. But [there are exceptions](#) that cut the other way, so it's always smart to check. And perhaps getting information from a public university in your state via a records request could help you make the case that your private college should be transparent, too.

Meanwhile, requests to state or federal agencies could shed light on your campus.

A few ideas for requests:

- **Internal memos and policies about new laws or other academic freedom issues.** These can help show how campus leadership is telling staff and faculty to navigate a shifting landscape.

- **Staff directories, both current and past.** These can help you track turnover, see if faculty from certain departments are leaving the institution in higher numbers and quantify the anecdotal warnings about "[brain drain](#)."
- **Class offerings for the current and several prior years in spreadsheet format.** Is your campus offering fewer of certain types of classes or eliminating courses?



- **Emails.** Be precise about what you're looking for (e.g. "all emails between Administrator So-and-So and Organization ABC" or "all emails to and from Administrator So-and-So with the keywords 'Students for Fair Admissions' and 'Harvard'"), and ask for a limited timeframe, e.g. "from Aug. 1, 2022 to the date the request is filled" or "between March 1 and April 15, 2024."
- **Syllabi for the past several years in classes that include topics targeted by new laws.** Are professors changing how they're teaching?
- **Requests about requests.** You can ask for a log of all public records requests made to your institution over a certain time period to understand who is asking for information and about what. (You can then ask for any records provided in response to certain requests.)

Some points of contact that could be helpful if you run into issues with public records requests: the [Student Press Law Center](#) (which has a [public records request generator](#) in addition to its [hotline](#)), [Reporters Committee for Freedom of the Press](#) and the Foundation for Individual Rights and Expression's [Student](#)

[Press Freedom Initiative](#). [MuckRock](#), which lets people file, track and share requests, [outlines information by state here](#). And a [2005 survey of public records laws](#) relating to higher education across the world has a state-by-state rundown at the end.

Campuses may have an online submittal form for requests. The University of Maryland, as an example, [collects requests here](#).

You'll generally have more luck when you're as specific as possible about what you're looking for — for instance, giving the name of the database you want, rather than "any datasets covering XYZ topic." But you can always put in a request and get more specific about it later, as you learn more.

Well-targeted requests can provide clarity on how an institution is handling a situation. In a story about K-12 education, a request for certain records and emails allowed Public Integrity journalists to show how Pennsylvania schools were treating families in [disputes over whether the students were homeless](#).

The following are a sample state public records request and federal FOIA request that you can use (and alter) as needed. You're more likely to need the state records request template. But you might find it useful to file a FOIA with federal agencies, such as the U.S. Department of Education.

Sample state public records request

(If you'd like, you can cite specifics of your state's open records law requirements. [This guide](#) could help you. And remember that the Student Press Law Center has a [records request generator with state-specific information](#).)

Dear [name]:

This is a request under your state's open records law.

On behalf of [newsroom name] and myself, jointly, I request that you provide us records containing the information identified and described below:

- All records reflecting any communication between [name] and [name] concerning [subject/keywords], including but not limited to letters, emails, memoranda, reports, appointment calendars, and telephone call logs, and dated between [date] and the date you process this request;
- A letter from [name] to [name], dated approximately [date], concerning [subject];
- All records in your custody or under your control that [describe the records broadly], including but not limited to [identify a specific class of records known to exist]; and
- A database or other similar electronic copy of [identify or describe records, as above];
- [other items].

Format: we prefer to receive records in the following formats, listed in order of preference:

1. a spreadsheet format such as an Excel file, tab-delimited file or similar;
2. word processing file, text-based PDF, or similar;
3. other non-proprietary electronic format;
4. paper copies.

Please also provide any and all documentation related to such electronic records, including but not limited to data dictionaries, database documentation, record layouts, code sheets, data entry instructions, and similar printed or electronic documentation materials.

If you decide to withhold an exempt portion of any record, please release all other segregable parts. If you withhold any record or portion of a record, please specify which statutory exemptions are claimed for each withholding. Please describe each record withheld, including its date and size (e.g., amount of electronic memory or number of paper pages).

We request that, to the extent permitted under the open records law, you waive or reduce any search, review, or duplication fees that might apply to this request. [Newsroom name] is a news media organization, and release of the requested information will inform the public and serve the public interest. If there are any search, review, or duplication fees greater than \$25, inform me before you fill the request.

Sample federal FOIA request

Dear [name]:

This is a request under the Freedom of Information Act.

On behalf of [newsroom name] and myself, jointly, I request that you provide us records containing the information identified and described below:

- All records reflecting any communication between [name] and [name] concerning [subject/keywords], including but not limited to letters, emails, memoranda, reports, appointment calendars, and telephone call logs, and dated between [date] and the date you process this request;
 - A letter from [name] to [name], dated approximately [date], concerning [subject];
 - All records in your custody or under your control that [describe the records broadly], including but not limited to [identify a specific class of records known to exist]; and
 - A database or other similar electronic copy of [identify or describe records, as above];
 - [other items].

Format: we prefer to receive records in the following formats, listed in order of preference:

- (1) a spreadsheet format such as an Excel file, tab-delimited file or similar;
- (2) word processing file, text-based PDF, or similar;
- (3) other non-proprietary electronic format;
- (4) paper copies.

Please also provide any and all documentation related to such electronic records, including but not limited to data dictionaries, database documentation, record layouts, code sheets, data entry instructions, and similar printed or electronic documentation materials.

We specifically request all portions of any record responsive to the description above; in a database or spreadsheet, we request all data fields associated with responsive records. If you withhold any record or any portion of a record as exempt, we specifically request the release of all segregable non-exempt portions, including but not limited to email header information (e.g., sender, recipients, date, subject) and analogous information in non-email documents.

If you withhold any record or portion of a record, please specify which statutory exemptions are claimed for each withholding. Please separately state how disclosure would harm

an interest protected by the cited exemption. Please describe each record withheld, including its date and size (e.g., number of pages or number of database entries).

Please respond within 20 working days, as the Act provides, or notify me if “unusual” or “exceptional” circumstances apply (as the Act uses those terms).

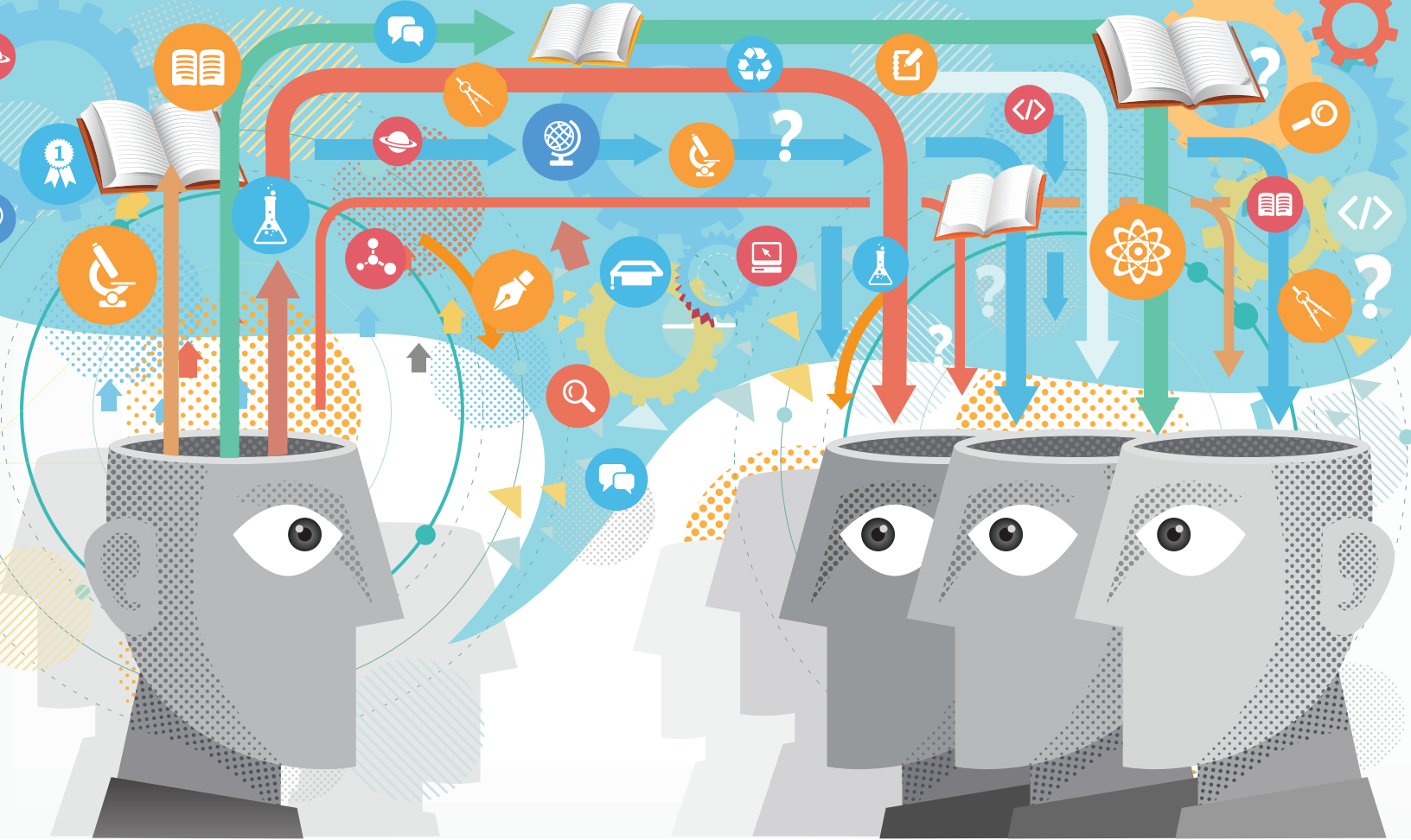
Request for fee reduction as a representative of the news media

[Newsroom name] is a news media organization, and therefore this request should be exempt from all fees for search and review. This request is being made in connection with [newsroom name's] newsgathering functions and not for any other commercial purpose. [Newsroom name] intends to produce one or more original investigative reports based on analysis of the requested information.

We expect that duplication fees for producing electronic records will be minimal. If there are processing fees greater than \$25, inform me before you fill the request, and I will provide additional information in support of a public interest fee waiver.

Please feel free to contact me about any aspect of this request. In principle, [newsroom name] is willing to consider ways in which the request might reasonably be narrowed.

Thank you for your attention to this request.



Collaborate on stories

In this era of constrained resources, newsrooms are partnering with other newsrooms all the time. You might find reporting partnerships particularly effective on a topic like this one that's playing out nationwide.

A collaboration could be as simple as contacting a reporter or editor at another campus news organization to propose working together on a story about both your institutions.

Or you could build a partnership with reporters at multiple colleges and universities.

Or you could propose to co-report with one or more newsrooms that aren't student-run.

Here are some lessons we've learned from successful collaborations:

Agree upfront about the project goals. What's the story about? Who will report and

edit it? How will credit work? Are you running the same piece or different variations, e.g. your story starts with an example from your institution and theirs starts with an example from theirs? Put the plan in writing, even if it's just by email.

Work collaboratively on items like deadlines, photography and publication timelines.

Talk through access-to-resource issues. If you're setting up a collaboration between a 50-student newspaper and a two-person operation, figure out how to navigate capacity differences in a fair way.

Remember that collaborations are all about the people involved. Ideally, you want to find reporters and editors eager to do this work, and to do it better together.

Conclusion

“American education became a battleground on which strikingly divisive clashes of culture and ideology were fought.”

If that sounds like the current moment, you’re right. But it was written in a [1997 journal article](#) about the late 1940s and early 1950s.

It’s a reminder that context helps. Delving into the past and its consequences can inform the present. Looking to other places, including other countries, can help, too.

As the [Academic Freedom Index notes](#), “The 22 countries where academic freedom has fallen [in the past decade] are home to more than 50% of the world’s population.”

In Hungary, an autocratic government transferred control of the country’s major state universities to foundations controlled by people loyal to [Prime Minister Viktor Orbán](#).

Former President Donald Trump and Orbán are political allies, meeting in March 2024 at Mar-a-Lago amid Trump’s campaign to be elected president again. An increasing number of U.S. Republican leaders are [praising Orbán’s tactics](#).

Crackdowns on higher education ripple far beyond campuses.

“Subduing universities is one part of the strategy right-wing leaders use to solidify their power,” John Aubrey Douglass, a research professor at the Center for Studies in Higher Education at the University of California, Berkeley, wrote in a [2023 article](#).

So when you cover academic freedom on your campus, you’re reporting on issues that have major implications for civil rights and democracy.

This matters.

We’ll leave you with one more quote from the past, this one from a [1947 report](#) commissioned by the administration of President Harry Truman:

“We may be sure our democracy will not survive unless American schools and colleges are given the means for improvement and expansion. ... America’s strength at home and abroad in the years ahead will be determined in large measure by the quality and the effectiveness of the education it provides for its citizens.”

