



**Foundation for Individual Rights in Education**

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Dear President Hennessy:

As you can see from our list of Directors and Board of Advisors, FIRE unites leaders in the fields of civil rights and civil liberties, scholars, journalists, and public intellectuals from across the political and ideological spectrum on behalf of liberty, legal equality, freedom of religion, due process, freedom of speech, and academic freedom on America's college campuses. Our website, [www.thefire.org](http://www.thefire.org), will give you a greater sense of our identity and activities.

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FIRE is concerned about the threat to the freedoms of expression and conscience presented by the Stanford School of Education's treatment of accepted student Michele Kerr. By appearing to condition Kerr's admission to Stanford School of Education's Stanford Teacher Education Program (STEP) upon her ability to refrain from public criticism of STEP's curriculum, Stanford risks violating both its legal obligation to protect student speech under California's Leonard Law and its own policies regarding expressive conduct. By seemingly rendering Kerr's admission contingent upon her agreement with an ideological and politicized conception of a teacher's role in the classroom, Stanford impermissibly intrudes upon Kerr's right to hold opinions contrary to those of Stanford's and STEP's leadership.

This is our understanding of the facts. Please inform us if you believe we are in error.

In early March, Michele Kerr received an offer of admission to Stanford School of Education's STEP program. On March 14, Kerr attended an open house for admitted students. During the open house, Kerr was asked whether she would be accepting Stanford's offer of admission. In reply, Kerr expressed concerns about the cost of tuition. Additionally, Kerr stated that while she did not entirely agree

with what she perceived to be STEP's "progressive" approach to education, she was very willing to learn more about STEP's education philosophy and was keeping an open mind. Finally, Kerr explicitly stated that she "had no intention of making waves."

A month later, STEP Director Dr. Rachel Lotan contacted Kerr and asked her to come in for a

trouble, and that she was excited about attending Stanford starting this summer. Lotan followed, offering a recollection of the events that closely mirrored Kerr's. But Lotan also indicated that "at some point" after their initial meeting, she sought legal advice regarding the possibility of rescinding Kerr's admission. Lotan said that "unfortunately," she was informed that due to Kerr's strengths as an applicant, rescission would be legally untenable. Lotan also indicated that she had spoken to a lawyer again following Kerr's letter after the meeting.

Further, Lotan told Kerr that she had been monitoring criticisms of Stanford made by Kerr on an online forum. Lotan said that she had been very upset by Kerr's online comments, which included referring to specific portions of Stanford's program as "ludicrous" and "idiocy," as well as explicitly indicating that Kerr "fundamentally and profoundly disagree[d]" with parts of STEP's approach. Lotan told Kerr that she believed these statements differed profoundly from those made in her application. Kerr responded by stating that she wanted to go to a "great school," as she had said in her application, and that Stanford was considered the best school in the country for education. Unsatisfied, Lotan continued to press Kerr on her concerns about Kerr's ability to interact with others in the program. Kerr reassured her that Kerr would do her best to keep her opinions to herself, that she was not attending Stanford to "make trouble," and that she was looking forward to getting started.

After approximately an hour of discussion, Rasch attempted to bring the meeting to a close by asking if another meeting would be necessary. Kerr again stated that she was excited about starting the program in June and that she did not think another meeting was necessary. Lotan, however, said she had doubts and that she would be calling Kerr in for another meeting. Lotan



Casey Kelley, Admissions Officer, Stanford School of Education  
Michele Kerr