

YALE UNIVERSITY

OFFICE OF THE PRESIDENT

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January 14, 2010

Mr. Adam Kissel
Director, Individual Rights Program
Foundation for Individual Rights to Education
601 Walnut Street, Suite 510
Philadelphia, PA 19106

Dear Mr. Kissel:

I write in response to your letter of December 18. Please be assured that the Woodward
Press's criticism remains the university's preferred mode of expression, and that
the university has every intention of continuing to abide by the values it espouses so elegantly.

Two instances have arisen in the past six months in which you have questioned whether
Yale's actions have reflected the values of free expression that we hold to be so fundamental to the
University. The difficult decision of the Yale University Press about publication of the book of
cartoons presented in my view a unique set of circumstances. The Press' decision was predicated on
the assessment of risk to life and safety presented by the particular experiences worldwide associated
with those cartoons. Subsequent events - the arrest of a man in Chicago plotting an attack and the
attempted forgery of a letter of Karl Weisberg - have been the subject of the assessment of those at
that violence associated with the cartoon controversy was far from over.

The committee regarding the Judicial Selection Council's conduct of the Yale
Harvard football game raised the matter. Dean Mark Miller and I expressed our view that it is
of the Dean or any other University official to exercise the oversight of any student or student
organization. But, as teachers and scholars, we are committed to the values of free expression and
students of the likely impact of their exercise of free expression on others. In this instance, Dean
Miller did have concerns about the conduct of the football game that he communicated through
communicated through the dean or freshman affairs, those concerns to the freshman class council
the elected representatives of the class. The decision not to print the T-shirts was made by the Class
Council, not the dean. But, as best I can determine, it would have been possible, and not
unreasonable, for some members of the Council to interpret Dean Miller's counsel as a directive. This
we regret. Dean Miller and I stand by the University's commitment to free expression, and we would
not want to give any students the impression that the content of their speech is subject to censorship.

I thank you for expressing your concerns.

Sincerely yours,

Richard C. Levin

RCL:mg