

THE CHRONICLE OF HIGHER EDUCATION

PROVOCATIONS

'Campus Reform' and a Clash Over an Assignment on Whiteness at BYU

By *Megan Zahneis*

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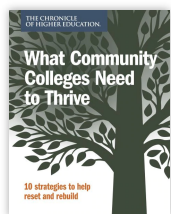


Last month a Brigham Young University professor went to bat for a colleague who was facing criticism over a class assignment she gave about whiteness. That led to an online scuffle between the professor and two conservative students running an Instagram account. Then the professor, like many others before him, became swept up in a right-wing media frenzy over course materials.

But the case of Eric Ruiz Bybee, an associate professor of multicultural education, is unusual: Bybee invoked BYU's strict honor code as leverage against the students, which he said he did to protect his colleague and her course materials. The students, meanwhile, feel that Bybee unfairly targeted them.

Bybee wrote about his experience in [a viral Twitter thread](#) last week, explaining that he'd received a barrage of harassing emails and voice-mail messages after his exchange with the students behind an Instagram account called BYU Conservatives was picked up by *Campus Reform*.

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A [survey](#) last year by the American Association of University Professors [found](#) that 40 percent of professors who'd been featured on the right-wing news site had fielded threatening messages after the articles ran, including over email, by phone, in letters, and on social media. Some professors have [developed their own protocols](#) for how to deal with the fallout that comes with appearing on the site.

But one of the students who runs the BYU Conservatives account said his intention wasn't to open Bybee up to harassment. He said the account didn't tip off *Campus Reform*, but shared screenshots with the site when asked. The students' intention in sharing the course assignment on Instagram, he said, was to start a conversation about what is taught in the classroom — and how.

They aren't the only conservative critics of higher ed pushing to publicize course materials. A [bill](#) passed by Florida's Republican-controlled Legislature earlier this month would require public colleges to post "lists of required and recommended textbooks and instructional materials for at least 95 percent of all courses and course sections" at least 45 days before the start of each term.

Faculty members, meanwhile, are becoming more leery of their course materials being made public, concerned that sharing assignments and readings could lack the kind of context that might be provided in a classroom discussion.

Some are adding statements to their syllabi prohibiting the unauthorized sharing of course materials. At BYU, some professors — particularly those who teach topics like race and gender — are including disclaimers that doing so could lead to consequences under the institution's honor code, Bybee said.

'A Different Kind of Place'

It was a syllabus statement that led to the standoff involving Bybee and the students.

In mid-February, a colleague told Bybee she'd been receiving harassing emails after one of her class assignments was posted online. The assignment, "Revealing Whiteness," asked students to "spend 30 minutes exploring some elements of the physical and social environment at BYU" by photographing "manifestations of 'Whiteness'" on campus. (The colleague, Jane Lilly López, an assistant professor of sociology, declined to comment to *The Chronicle*.)

[BYU Conservatives](#), which bills itself as “your conservative page for news at BYU,” shared the assignment on Instagram — despite a clause in López’s syllabus prohibiting students from doing so. Worried for López, who does not have yet have tenure, Bybee said he reached out to the Instagram page asking for the post to be taken down, saying that it violated BYU’s honor code and intellectual-property policies.

If he taught at the University of Utah or another public institution, Bybee said, he wouldn’t have done anything about the post. “BYU’s a different kind of a place,” he said. “I felt like the written policies, or the spirit of these policies, allowed me to request these students to take this down.”

BYU, which is affiliated with the Church of Jesus Christ of Latter-day Saints, requires students to adhere to a strict honor code that prohibits them from drinking alcohol or having sex outside of marriage, among other things. Students must adhere to a dress and grooming code and receive a religious endorsement from their bishop, or local religious leader, to enroll. All students and employees are expected to enforce the code — which means reporting any potential violations to the honor-code office.

The BYU Conservatives account removed the original post, so Bybee decided not to report the situation to BYU’s administration, opting instead to “let it go.” But soon after, he was contacted by two right-wing organizations that published profiles of him online.

One of those was Professor Watchlist, a project of the nonprofit group Turning Point USA that says it seeks to “expose and document college professors who discriminate against conservative students and advance leftist propaganda in the classroom.” The other was *Campus Reform*, which is run by the conservative Leadership Institute and says it “exposes liberal bias and abuse on the nation’s college campuses.”

After the publication of the *Campus Reform* article, Bybee told *The Chronicle*, he began receiving “vulgar and even threatening” emails and voice mails, including messages calling for his resignation or firing and threatening to contact his bishop, which he shared on Twitter.

In an email to *The Chronicle*, Carri Jenkins, a BYU spokeswoman, condemned those messages. “BYU values its professors and strongly believes that no professor should be subject to targeted harassment,” she wrote. “We are grateful to those at the university who are working closely with our faculty on this issue.” Jenkins didn’t respond to a list of follow-up questions.

‘All Messed Up’

To Bybee, teaching about whiteness and race falls within López’s purview — and his own — as a professor. So, too, does following and enforcing BYU’s honor code, which is what he was doing in contacting BYU Conservatives. If a student or a member of the BYU community isn’t abiding by that code, Bybee said, “my responsibility is to encourage them to do so.”

On Twitter, Bybee shared text from his colleague’s syllabus, BYU’s intellectual-property policy, and the honor code, saying that he believed BYU Conservatives had violated all three. (A faculty-resource page on the honor-code office’s website encourages instructors who believe their course content has been posted to a “third party site” — Chegg and Course Hero are listed as examples — to contact the office for guidance.)

“Posts like these invite targeted harassment of BYU faculty members,” he wrote in a message to BYU Conservatives that he later shared on Twitter, adding that he was “committed to making sure there are appropriate consequences.” If the post was still public the following day, he said, he would contact BYU administrators to request an investigation. (*The Chronicle* reviewed a series of messages between Bybee and BYU Conservatives, provided by a student.)

After a short exchange, BYU Conservatives removed the post, but replaced it with [another](#). Though the new post didn't include the text of the assignment or López's name, it did include an excerpt from Bybee's message threatening to contact the honor-code office.

"We believe this pushback was not primarily motivated by a passion for federal copyright law or a commitment to following the Honor Code to a tee," the new post's caption read. "We must conclude that these professors are more concerned about the pushback that will come from exposing what they are teaching than they are about the legal ramifications of posting a picture of a piece of paper."

To Bybee, there's a direct link between the harassment he faced and his communication with the Instagram page. "It was clear from the emails that the student admins of the BYU Conservatives Instagram decided to respond to my invitation to follow the Honor Code by sending my DMs to a right-wing org dedicated to harassing professors," he wrote on Twitter.

Luke Hanson sees it differently. One of the two students behind the BYU Conservatives account, Hanson said he's not sure that sharing the assignment on Instagram actually broke any campus policies.

Hanson said he contacted BYU's honor-code office and didn't get a clear answer on whether posting the assignment was a problem. He also reached out to the copyright office, and said the assistant director had told him that it was probably covered under the doctrine of "fair use." As Hanson recalled the conversation, the assistant director, Heidi Chewning, had told him she would "be happy to talk to any angry professor who wants to call me and talk about it." (Chewning referred a request for comment to BYU's communications office.)

Hanson also disputed several of Bybee's other claims, including that the BYU Conservatives account was responsible for the alleged harassment Bybee's colleague

had received. Hanson said the assignment had been shared on Facebook and other online forums before his account posted it.

“We never really wanted to get into a personal back-and-forth between two people. This started out from our desire to talk about what we believe are harmful things being taught on campus along the lines of CRT,” Hanson said, referring to critical race theory. “This particular situation, it got all messed up.”

In an [open letter](#) posted on Instagram, BYU Conservatives invited Bybee to have a conversation on Hanson’s podcast — “just, like, talk,” as Hanson put it. “We don’t do it that much anymore, so that’s what I was hoping,” he said.

“Unfortunately, there seems to be no possibility of that happening,” he added, saying Bybee had responded privately, asking the students not to contact him again. (Bybee declined to comment to *The Chronicle* about the open letter.)

Bybee said that BYU administrators, including his dean, have been supportive of him, and that he hasn’t feared professional repercussions as a result of his encounters with BYU Conservatives and *Campus Reform*. “It remains to be seen whether my interpretation of our university policies is going to result in some type of administrative action,” he said. “But at the very least, the principle of being a disciple of Jesus Christ means that you don’t harass other people.”

Hanson and Tommy Stevenson, the other administrator of the BYU Conservatives account, say they’re worried that the viral reach of Bybee’s thread could negatively impact their employment prospects. Both emailed Bybee’s dean requesting that the professor remove the tweets they considered erroneous, but said they hadn’t yet gotten a response. The dean, Richard Osguthorpe, referred *The Chronicle*’s request for comment to the BYU communications office.

Syllabus Statements

Regardless of whether the students actually violated a university policy in this case, the incident demonstrates why professors have become increasingly concerned about how their assignments, syllabi, and classroom discussions could be weaponized against them.

Syllabus clauses that warn against the unauthorized sharing of course materials are a good idea, said Sigal R. Ben-Porath, a professor of education, philosophy, and political science at the University of Pennsylvania. Like honor codes and intellectual-property arguments, statements that prohibit the sharing of course materials are tools in service of “protecting faculty members’ freedom and ability to engage in teaching about their areas of expertise without outside pressure,” she said.

Ben-Porath has observed more of those syllabus statements recently, but she’s not sure whether it’s because more faculty members are using them or simply that they’re becoming more visible. Moreover, “I don’t have a clear sense of whether any of this is ever enforceable,” she said. “I have not seen any student even go through an internal student-conduct process, let alone a more formal legal process, because they didn’t abide by these syllabus statements. The syllabus is a contract in a very limited way.”

Course materials should be protected not only by freedom of expression, Ben-Porath said, but by academic freedom and “the assumption that professors are sharing their expertise in class with their students based on their years and years of study.”

The AAUP survey of faculty members who had been written about by *Campus Reform* found that only 9 percent of respondents had been targeted for classroom speech. At the same time, “some of the stories that have the biggest reactions and generate the most hate and targeted harassment are those that are from course material,” said Isaac A. Kamola, a political scientist at Trinity College who worked on the survey, “precisely because it fits into this largely manufactured narrative that the classroom is a site of indoctrination.”

Kamola recommends that institutions develop policies on when and if it's acceptable to disseminate course materials, and publicize those policies among faculty members and students. "When you have that kind of infrastructure that treats professors as the enemy, I think it's really important to do everything you can to prevent and penalize the students from leaking that information precisely because it's part of a political agenda," he said.

Lara H. Schwartz, director of American University's Project on Civil Discourse, said that line is a fine one.

"I'm loath to wholeheartedly embrace the idea of using an honor code to say, 'Hey, you can't share curricular material in all circumstances,' even though I think in this case it was done to protect someone from being targeted by racial harassment," Schwartz said, "because I do think that students' capacity to complain about the nature and content of their education and the things that we're saying is part of their expressive freedom too."

But, Schwartz said, Bybee's story is about more than BYU's honor code. It's also about "this larger context of targeting professors for trying to teach about race."

We welcome your thoughts and questions about this article. Please [email the editors](#) or [submit a letter](#) for publication.

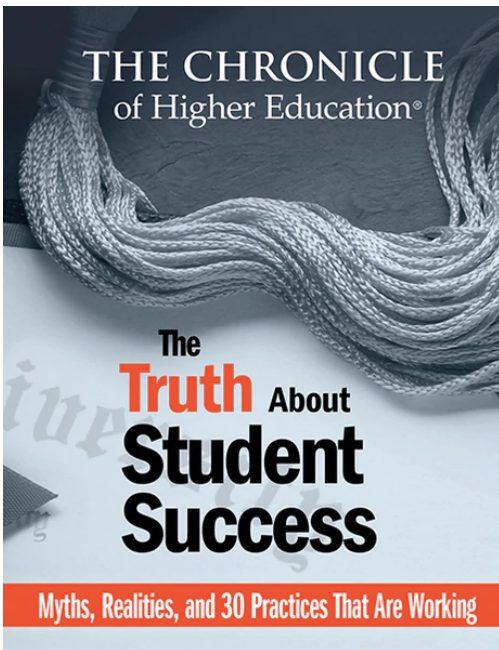
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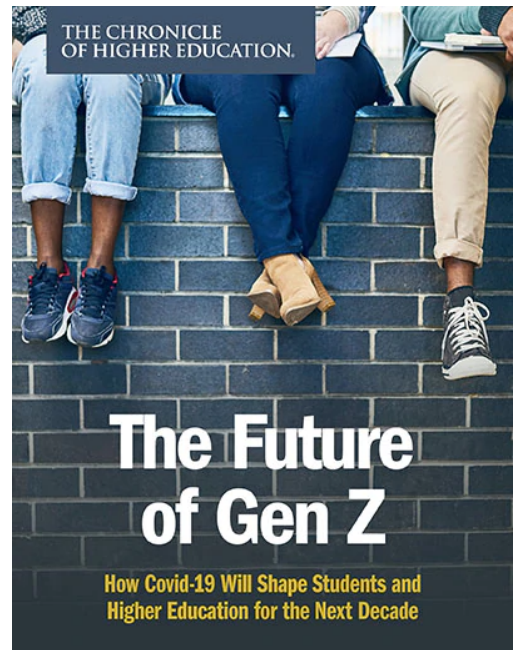
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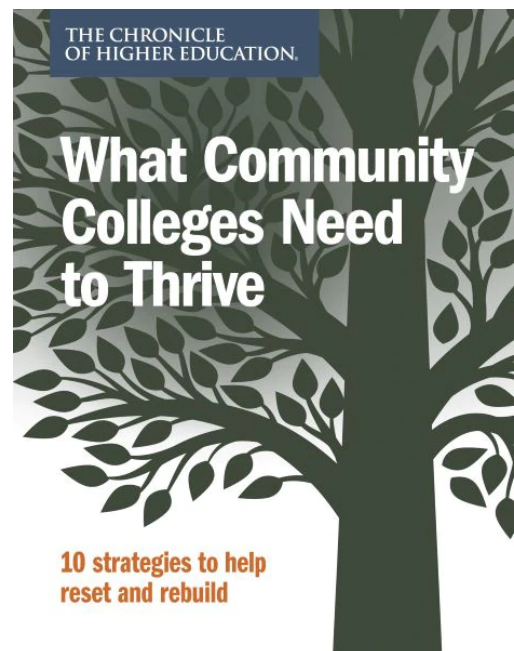
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