

The *Nathaniel Hiers* Case

Case Name: *Hiers v. The Board of Regents of the University of North Texas System*

Case Status: ADF attorneys filed federal lawsuit April 16, 2020, in the U.S. District Court for the Eastern District of Texas, Sherman Division.

Significance: Whether a public university can fire professors just because they don't endorse every message expressed in the faculty lounge.



Background: Since 2013, Nathaniel Hiers has taught mathematics at University of North Texas-Denton. He earned his Ph.D. in 2019 and joined as a faculty member that summer. But his career there came to an abrupt end in late 2019. That's when Dr. Hiers jokingly responded to a stack of fliers about "microaggressions" in the mathematics faculty lounge by writing "Please don't leave garbage lying around." Dr. Hiers wrote this message on the mathematics faculty lounge chalkboard with an arrow pointing to the stack of fliers. Dr. Hiers believes that the concept of "microaggressions" actually hurts diversity and tolerance. To Dr. Hiers, this mode of thinking teaches people to see the worst in other people, promotes a culture of victimhood, and suppresses alternative viewpoints instead of encouraging growth and dialogue. The next week, the University fired him without notice for disagreeing with the flier. Before firing him, Dr. Hiers' department head called his joking remark "stupid" and "cowardly" and said it implicitly intimidated others. The head of the department, Ralf Schmidt, told Hiers he was fired because he criticized the "microaggressions" fliers and didn't express "honest regret" about his actions. Other university officials approved of Schmidt's retaliation. But by firing Dr. Hiers, the University sent an explicit message: "Agree with us or else." On April 16, 2020, ADF attorneys [filed a federal lawsuit](#) to challenge the University's firing of Dr. Hiers for expressing his views.

Key Points

- Universities should be a marketplace of ideas, not an assembly line for one type of thought.
- Public universities can't fire professors just because they don't endorse every message communicated in the faculty lounge.
- If one point of view is allowed in a faculty lounge, the opposing point of view should be allowed too.
- Today's college students are our future legislators, judges, and voters. That's why it's so important that public universities model the First Amendment values they're supposed to be teaching students.

Key Facts

- Students are watching and learning from this, and the lesson is simple: We can only tolerate one viewpoint on this subject. That's poor preparation to live in a world full of conflicting ideas and beliefs. It also cost Dr. Hiers his job, and it's costing him crucial opportunities to advance his career.
- By criticizing the fliers, Dr. Hiers was simply expressing his views to colleagues. An environment that prizes healthy debate should be able to tolerate dissenting voices.
- The person who left the fliers was able to express his or her views; Dr. Hiers should have had the same freedom.

The Bottom Line: The right to free speech is for everyone—not just those in power. Tolerance is a two-way street.