

FIRE responds aggressively against chancellor's defense

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RSO Handbook before revision

RSO Handbook after revision

A day after SIUC Chancellor Sam Goldman called free speech accusations against the university 'baseless,' the Foundation for Individual Rights in Education has responded, calling Goldman's actions deceitful.

In a release on the group's Web site Tuesday, FIRE said Goldman's letter to the group dated Jan. 7, " ... attacked the Foundation for Individual Rights in Education in false and misleading public statements and strongly defended SIUC's Protest Policy despite actually changing the policy in response to a detailed letter from FIRE ..."

Goldman's letter responded to allegations that the university's Registered Student Organization Handbook free speech facilities policy contradicted the SIU Board of Trustees' public forum areas policy, and was in violation of the First Amendment. Goldman responded by saying there was nothing wrong, and therefore nothing to change.

The RSO Handbook, however, was changed sometime between Monday afternoon and Tuesday night, said SIUC spokesperson Rod Sievers, and no longer included the section on 'free speech facilities.'

The handbook's cover page lists the last update as January 2009.

"SIUC railed against FIRE in public while failing to mention that it changed one of its absurdly unconstitutional policies in the face of our criticism," said Greg Lukianoff, the group's president, in the letter.

Sievers said Goldman would review the news release and respond today.

Samantha Harris, the group's director of speech code research, said the university has complied with FIRE on the issue of free speech, but remains at odds with other university policies.

"It's no longer about the speech policy," Harris said. "Thankfully, the free speech has been resolved. But policies still enforced are of concern to us because the university is not willing to change."

On the group's Web site, FIRE takes issue with the university's sexual harassment policy; general harassment policy; policies on tolerance, respect, sensitivity, hate and hate speech; and advertised commitments to freedom of speech policy.

Each policy, Harris said, concerns free speech violations within the respective policy's language.

"FIRE's concern about poorly-written harassment policies like the one in place at SIUC is more than just theoretical," Harris said in her blog on the group's Web site. "Chancellor Goldman must know that flawed university harassment policies have repeatedly and consistently been struck down by federal courts over the past 20 years.

"In every case that has produced an opinion, harassment policies like SIUC's have failed to withstand judicial scrutiny."

Harris said it remains uncertain as to what action will be taken next. She said while legal action could take place, public exposure is typically taken first and is usually enough to correct the issue.

Goldman's response, Harris said, will also play a factor.

In either case, the group still lists the university as a "red-light" institution, which is defined as an institution that has at least one policy that both clearly and substantially restricts freedom of speech.

"These events constitute nothing less than a crisis for free speech and due process at SIUC," said William Creeley, the group's director of legal and public advocacy, in the letter. "It is deeply shameful — and frankly outrageous — that Goldman would continue to pretend that all is well on campus.

"We are sorry that Goldman has resorted to dishonorable tactics and baseless attacks. Rest assured, FIRE and its allies will keep fighting this until SIUC respects the rights of professors and students both in practice and on paper."

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