

## Education

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### University agrees to change its speech code

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Shippensburg University has agreed to alter its campus speech code and adopt a newly worded antidiscrimination policy after a court ruled that the prior wording could have dampened free speech on campus.

The decision by the state-run university was hailed as a major victory by a Philadelphia-based free-speech group that has launched legal attacks on what it considers restrictive and unconstitutional speech codes at college campuses across the country.

A U.S. District Court ruling by Judge John E. Jones 3d in September found that many provisions of the Shippensburg speech code "could certainly be used to truncate debate and free expression by students." He ordered the university not to enforce four sentences in the code of conduct, as well as Shippensburg's "Racism and Cultural Diversity Policy."

Shippensburg trustees recently approved changes to the code of conduct and a new statement on the school's commitment to diversity following Jones' order.

"Shippensburg has now been forced to recognize that its broad restrictions on free speech violated the First Amendment," said Charles Alan Kors, a professor at the University of Pennsylvania and chairman of the Foundation for Individual Rights in Education, the group that filed the complaint against Shippensburg in April.

"Shippensburg's example will not be lost on the hundreds of American public colleges and universities that continue to maintain unconstitutional speech codes," Kors said. "They now know that they maintain those illiberal codes at their peril."

Kors' group, which he helped start in 1999, says it has been involved in more than six hundred cases at more than 200 colleges and universities.

The suit against Shippensburg, southwest of Harrisburg, was the first filed by Kors' group,

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which argued that the language in the code was so vague and sweeping that it created a "chilling effect" on students' rights "to freely and openly engage in appropriate discussions of their theories, ideas and political and/or religious beliefs."

The group's executive director, Thor L. Halvorsen, a Penn graduate, said the code prohibited students from using language that could "demean," "annoy" or "alarm" others. But he argued that what is demeaning or annoying to one person might not be to another.

As the group's attorney, David A. French, put it, "If speech offended anyone, it lost protection."

Shippensburg officials said the school never intended by its code to dampen free speech - it merely was trying to ensure that students had a chance to learn and practice "the institution's core values of community, civility, citizenship and character," according to university president Anthony F. Ceddia. He said the changes in the code would not alter the university's commitment to those values.

The old speech code was replaced by a simple statement: "No person shall engage in conduct that constitutes unlawful discrimination based on another person's race, color, sex, religion, age or national origin."

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