

# Shippensburg Sentinel

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## Shippensburg Sentinel

### Lawsuit called frivolous

By [Linda Franz](#) April 26, 2003

A lawsuit filed against Shippensburg University alleging its speech codes are unconstitutional has been called frivolous by university officials.

"As President (Anthony) Ceddia said, we consider the suit to be frivolous and without merit," university spokesman Pete Gigliotti said this morning. "We strongly and vigorously defend the rights of free speech."

Two students who are members of political organizations on campus are plaintiffs in a suit filed by the Foundation for Individual Rights in Education (FIRE).

The students are identified as "John Doe," a junior majoring in earth science and "Jane Doe," a senior majoring in political science.

Court documents state "John Doe" fears that conversations and classroom discussions that include his "social, cultural, political and/or religious views" could be sanctionable under the university's regulations.

The student group "Jane Doe" belongs to "seeks to advance opinions and beliefs regarding issues of race, gender, religion and sexual orientation that may be objectionable or offensive to other students" the lawsuit says, and therefore could be sanctionable.

In her study of political science, she is reluctant to advance controversial theories on a number of political or social issues because they might be perceived as "racist, sexist, or homophobic," court documents say.

Gigliotti said officials are concerned the lawsuit has misrepresented its stance that free speech should be exercised in a manner that is civil and appropriate.

"One of the things we are troubled by is the characterization of our code of conduct as a speech code," he said.

#### Respect stressed

The expectation is that students are to be treated with respect and they are to treat others with respect, he said. "We feel it is important for students to hear from others with opposing views."

Debra Cornelius, a sociology professor and adviser to Student Peace Action Network, said she knows of nothing happening on campus that would lead to this kind of challenge.

"Believe me, I would be the first one jumping up and down if I thought somebody's free speech was being violated," she said. "I'm a member of the ACLU."

Cornelius was with SPAN members last month when they were asked to move a small demonstration against the war in Iraq to the "free speech area" on campus. But she adds, "SPAN students have been demonstrating outside the free speech zone since the first day. They have not been asked to move."

#### Students requested area

Gigliotti said the free speech area was created several years ago at the request of a number of students.

"We had a number of individuals, street preachers, who were coming onto campus, harassing our students, shouting obscene and inappropriate comments," Gigliotti said.

The free speech area gave them a place to do that, he said.

According to FIRE's website, it is launching a nationwide challenge to speech codes it claims enforces "liberal orthodoxy."

"This lawsuit is the first step in an unprecedented national campaign that will end, through legal action and through public exposure, the scandal of unconstitutional censorship at America's public college and university campuses and that will force private institutions to choose between liberty and tyranny," FIRE's website says.

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