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Students are giving colleges a lesson in free speech

By Mary Beth Marklein, USA TODAY

College campuses, long viewed as forums for dissent and bastions of free speech, are looking more and more like legal battlegrounds.

In the second of what promises to be a series of lawsuits aimed at abolishing restrictions on student speech, a California student plans to file a lawsuit against his college in federal court today, saying limits on when, where and how he exercises his First Amendment rights are unconstitutional.

The legal challenge reflects the growing unease among civil liberties advocates, who argue that the range of restrictions on campus speech creates a dangerous chilling effect.

Some campus administrations, for example, want to restrict "chalking," in which students debate abortion, gay rights and other hot-button issues in multicolored messages on campus sidewalks.

Others—including Pennsylvania's Shippensburg University, sued last month—have developed speech codes declaring that words or actions that are "inflammatory, demeaning or harmful to others" are undeserving of protection.

And a growing number of campuses, including the University of Houston, University of Maryland and Florida State University, allow protests only in designated areas.

In today's lawsuit, student Christopher Stevens, 20, says Citrus Community College in Glendora, Calif., told him that he could conduct a "pro-America rally" outside the campus free-speech areas only if he did so as part of a registered club.

Instead, Stevens, 20, found a lawyer. "Constitutionally, we are not required to be part of any group to enjoy free speech," he says. "The school seems to think you have to be recognized by them before you can protest."

No particular incident prompted the year-old policy, but two men protesting abortion were arrested in November for stepping outside the zone, says Citrus College president Louis Zellers. He says it was adopted to ensure that demonstrations don't disrupt students from their studies and to reduce the potential for the protests to escalate into violence. The idea is "to protect not only the people who want to speak or demonstrate, but also our students who are intimidated by it," Zellers said.

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He says the free-speech zones are centrally located. But critics argue they often are confined to slivers of a campus—less than 1% at Citrus College, Stevens says.

Challenges are being coordinated by the Philadelphia-based Foundation for Individual Rights in Education (FIRE), which says it plans more lawsuits. When challenged, West Virginia University, the University of Texas-Austin and other schools have backed down, declaring the entire campus a free-speech zone.



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