



Clemson Exonerates Student Group, Will Review Policy on 'Free-Speech Zones'

By Jim Brown and Jody Brown
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(AgapePress) - There's been a major First Amendment victory for students at a prestigious university in South Carolina, where a conservative student group has been absolved of charges stemming from its protest of a pro-homosexual event on campus.

Clemson University had a policy that designated only two areas on the campus for students to assemble. Even within those areas, students were required to obtain permission from three different administrative offices 72 hours prior to any planned event. However, after the [Foundation for Individual Rights in Education](#) (FIRE) sent a letter to the school, arguing the policy -- in violation of the U.S. Constitution -- made spontaneous demonstrations impossible, Clemson set aside the policy for review and is allowing the entire campus to be open to free speech.

Samantha Harris, FIRE's director of legal and public advocacy, explains that a student group known as the Clemson Conservatives had been charged with a violation of the "free-speech zone" policy for protesting a pro-homosexual "marriage" event staged by the Clemson Gay-Straight Alliance. In late October the conservative group had requested, but was denied, permission to stage their protest at a location outside one of the zones -- then proceeded with the protest nonetheless.

According to a FIRE press release, campus police did not interrupt the protest, but deployed police officers to videotape the event. Subsequently the university's Office of Judicial Conduct found Clemson Conservatives guilty of staging a protest in a "non-designated area" and administered an "admonition" and "censure" sentence, along with a warning to the group that further transgressions of the policy could result in suspension.

The Clemson Conservatives appealed to FIRE for assistance. Now, since FIRE's letter to the school in early November, Clemson has expunged the charges from the group's record.

Harris says "so-called 'free-speech zones'" are "odd and highly inappropriate" on America's university campuses these days -- but that, unfortunately, such policies are all too common. "I think that in a lot of cases it's kind of a misguided attempt by universities to make sure that demonstrations and the like don't disrupt classes, et cetera," she says, "but of course, you could accomplish that aim with a much, much narrower policy."

The Foundation says an e-mail received from a university official implies a policy change is in the offing. Clemson, wrote Dean of Students Gail DiSabatino, "has begun the process of reviewing and considering revisions to the policy as well as other related policies" -- and that students "may assemble, protest, or demonstrate on campus as long as they do not disrupt the normal or previously scheduled activities of the University."

FIRE has called on Clemson to abandon its restrictive policy. Harris argues that the

university needs to include sidewalks and grassy areas of campus in its "free-speech zones." Those are traditionally public areas, she notes, that courts have held should be open to free speech.

"That's not to say that the university can't have a regulation saying that you can't demonstrate inside of a classroom during class hours," she explains, "because that's the type of regulation that a university can make in order to preserve the educational process, which they have a right to do."

But universities cannot quarantine free speech to small areas of campus, she comments, or impose onerous pre-approval requirements on students who want to assemble. Harris adds that FIRE will be watching to ensure that Clemson follows through on its promise to institute a permanent policy by next year that opens the entire campus to "free expression."

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