



## WPU Censures Student-Employee for Expressing Biblical Beliefs Against Homosexuality

By Jim Brown and Jenni Parker  
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(AgapePress) - A 63-year-old campus technician and student at a New Jersey university who sent a private e-mail describing lesbianism and homosexuality as "perversions" has been formally reprimanded by the school for violating its non-discrimination policy.

Part-time student Jihad Daniel made his comment in response to an unsolicited e-mail he received from William Paterson University professor Arlene Holpp Scala, inviting people to a film and discussion about lesbian relationships. According to a *WorldNetDaily* article, Daniel responded to the message privately in a return e-mail, requesting that he receive no further mail "about 'Connie and Sally' and 'Adam and Steve'" -- that is, no more unsolicited e-mail regarding discussions of lesbianism or homosexuality.

"These are perversions," Daniel wrote in his e-mail message. He also observed that the "absence of God in higher education brings on confusion" and that this is "why the Creator of the heavens and the Earth is never mentioned" in typical university classes.

Two days later, Professor Scala, who chairs the women's studies department at WPU, filed a complaint with the school, alleging that Daniel's message was "threatening" and "violated the school's non-discrimination policy." A university investigation later found him guilty of violating state discrimination and harassment regulations. As a result, the president of the school placed a letter of reprimand in the student-employee's personnel file, claiming his comment was demeaning.

### A FIRE-Fight for First Amendment Rights

Greg Lukianoff is with the [Foundation for Individual Rights in Education](#) (FIRE), a free speech and civil rights advocacy group that is working on Daniel's behalf. Amazingly, he says, "Not only is the university completely violating Jihad Daniel's free speech, but it's clear that the professor in this case fully expected to be protected from his dissenting point of view, as if he had committed a crime against her."

Lukianoff believes William Paterson University is trying to avoid responsibility for what it has done to Daniel by labeling this incident as an employment policy matter. "The university is trying to portray Jihad Daniel as an employee," the FIRE spokesman says, "and while he does enjoy somewhat reduced free-speech rights in a workplace environment, that completely ignores the fact that he was a student."

Of course, the free-speech advocate points out, the university is apparently ignoring other salient points, including the fact that Jihad Daniel "didn't receive this e-mail in the capacity of a student, that this was sent to the general public, and that colleges and universities aren't your typical workplace."

In general, Lukianoff asserts, universities are required to allow their students a higher degree of free speech and academic freedom than they might afford to others. FIRE appealed WPU's decision against Daniel on First Amendment grounds and wrote to the

school's president, Arnold Speert, protesting Daniel's treatment and reminding the public university of its obligations to protect its students' rights under the U.S. Constitution.

President Speert responded to FIRE's protest by saying the constitutional argument on Daniel's behalf was "beyond the scope" of the university's finding, and that "the assessed penalty of a written reprimand must, therefore, stand as issued." Nevertheless, FIRE maintains that WPU violated Daniel's rights by convicting him of "discrimination" and "harassment" -- without due process -- and penalizing the student-employee by placing a reprimand on his record.

On July 15, New Jersey's Attorney General Peter C. Harvey in effect backed the university when he answered FIRE's charge that Daniel's rights were being trampled. In that response, Harvey asserted that "speech which violates a non-discrimination policy is not protected" by the First Amendment. He also denied the university had violated Daniel's due process rights, and said "the recommended penalty" against him will stand, subject to his next appeal.

Lukianoff says William Paterson University and New Jersey's attorney general "have decided that Mr. Daniel is guilty until proven innocent." Nevertheless, the FIRE spokesman says his group will continue to fight such "illiberal actions" until Jihad Daniel's rights are vindicated.

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