



To: Marieka Tuthill Beck-Coon, Director of Litigation, Foundation for Individual Rights in Education
David M. Dooley, Ph.D., President, University of Rhode Island
Kathy M. Collins, Ph.D., Vice President, Division of Student Affairs
Louis Saccoccio, General Counsel, University of Rhode Island
Daniel Graney, Ed.D., Dean of Students
Tim DelGiudice, Chair, Rhode Island Council on Postsecondary Education
Adriana Wilding, President, Student Senate
Tristram Howard, Vice President, Student Senate
Zachary Taylor, Chair, Finance Committee, Student Senate
Alexandria Evers, Chair, Student Organization Advisory and Review Committee, Student Senate

From: Carl G. Stiles, Ed.D., Director, Memorial Union, Student Involvement, and Center for Student Leadership Development

Date: September 20, 2018

Re: Consolidated Responses to FIRE Inquiry and Letters

Please find following the consolidated response to the letter dated September 7, 2018 from the Foundation for Individual Rights in Education (FIRE).

These communications were shared electronically on Friday, September 21, 2018.

Sincerely,

Carl G. Stiles, Ed.D.
Director, Memorial Union, Student Involvement, and Center for Student Leadership Development



September 20, 2018

Marieke Tuthill Beck-Coon
Director of Litigation
Foundation for Individual Rights in Education
510 Walnut Street, Suite 1250
Philadelphia, PA 19106

Dear Ms. Beck-Coon:

I am writing in response to your letter dated September 7, 2018. As you are aware, the Student Senate responded on May 22, 2018 to the initial letter of concern dated May 4, 2018 and subsequently began discussion on the areas identified within said letter.

The discussion on the needs of all student organizations recognized by the Student Senate at the University of Rhode Island has been on-going. Changes to the governing documents in approved By-Laws (last approved April 2018) as well as approved supporting documentation, Finance Handbook (last approved May 2018) and recognition process (last approved September 2017) will necessitate changes brought forth for consideration per governance processes identified within the By-Laws of the Student Senate. Changes to By-Laws are not permitted during the frame of Summer Senate, as both policy and practice, as the voice of the student is not present during the abbreviated governing working group of the Student Senate.

To re-affirm prior statements, Student Senate, in spring 2018, had undergone transition in leadership of both the Student Senate as well as the Division of Student Affairs that supports and advises the Student Senate on their policies, processes, and action. The new leadership of Student Senate has undertaken, and continues to work on, a review of policies, practices, and actions.

The Student Senate, during summer 2018, continued to have discussions on crafting legislative actions to be put forth on the table during the fall 2018 sessions of the Student Senate that addresses concerns brought to its attention. Student Senate's continued goal is to align their practice with policy, to clarify policies, and to be responsive to the issues that have been brought to their attention.

Student Senate has been undertaking the review of their By-Laws as well as supporting documents, specifically the Finance Handbook, as well as other policy statements. The leadership of the Student Senate is working collectively to craft legislation

to address concerns brought forth, not just with concern to funding of currently recognized student organizations but also with the classification and identification of potential student organizations that bring forward the request to be recognized by Student Senate, and subsequently request funding. Education of the duly elected membership of the Student Senate has begun so as to be provide understanding on how funding can be requested, and as appropriate, granted, for operations of recognized student organizations in such a manner that funding granted will not adversely affect the tax-exempt status of the Student Senate, Inc. Education from my office began in spring 2018 and has been on-going in regards to these areas; with an increased understanding, clarity on perceived limitations, and the desire to address the broader needs of all students at the University, Student Senate is working to attend to matters brought forth by students, student organizations, and others.

Student Senate's intent is to be inclusive of and responsive to the needs of those student organizations that seek and are granted recognition and the rights, privileges, and responsibilities thereby granted through said process. A framework of "reasonable and viewpoint neutral" review will be implemented and funding of student organizations will be addressed so they are "without regard to their [the student organization's] viewpoint."

This is a process that is not present under current governance procedures and legislative actions are presently being worked upon; legislative actions and approvals does take time, and, consequently, time for implementation.

Sincerely,



Carl G. Stiles, Ed.D.

Director, Memorial Union, Student Involvement and Center for Student Leadership Development

Cc: David M. Dooley, Ph.D., President, University of Rhode Island
Adriana Wilding, President, Student Senate
Tristram Howard, Vice President, Student Senate
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Marieke Tuthill Beck-Coon
Director of Litigation
Foundation for Individual Rights in Education
510 Walnut Street, Suite 1250
Philadelphia, PA 19106

Dear Ms. Beck-Coon:

The President of the Student Senate directed us -- Finance Committee Chair Zachary Taylor and Student Organization Advisory and Review Committee (SOARC) Chair Alexandria Evers -- to develop a concrete plan of action in response to the concerns of Student Organizations.

The welfare of the URI Student Body guides our decision making. Recognizing the importance of securing students' rights, we have been in contact with Sam Foer to facilitate communication, inform, and streamline the Senate's ability to move forward with solutions.

We put forth a Resolution for the General Senate's consideration at the meeting on 19 September to cease the Senate's use of organizational types during the SOARC's review and recommendation process, the General Senate's recognition process, and the Finance Committee's budgeting process. Organizational types, different from categories of recognition, are groups of organizations that were intended to make the recognition and funding processes simpler. But organizational types have been organized arbitrarily and have apparently made our recognition and funding processes more difficult. Because organizational types are not a form of categorization found in any of the Senate's policy, legislation to amend the Senate's policy is not possible.

On 19 September, a Bill to amend the Senate's Bylaws will be introduced. If passed, the bill will allow the President of the Senate to order amendments to any policy instrument which would take effect immediately. For information purposes and clarity, due checks and balances will be in place so that this sort of prerogative would not be abused so as to reverse the progress the Finance Chair and SOARC Chair are endeavoring. The earliest this amendment could pass is 26 September, the following general Senate meeting.

If this passes, at the same meeting on 26 September, the President of the Senate will order a set of policy amendments to these effects:

1. *Eliminating categories of recognition altogether from policy instruments;*
2. *Amending Article 9, Section A, Part 3, Subpart d of the Senate's Bylaws by inserting "content or viewpoint." at the end of the final sentence;*
3. *Amending Article 9, Section A, Part 4, Subpart a of the Senate's Bylaws by striking "having a mission that is religious in nature";*
4. *Amending Article 9, Section B, Part 3 of the Senate's Bylaws by striking the whole of it.*
"PART 3. PURPOSE OF EXPENDITURES
No student activities tax fund may be distributed to organizations to be expended for such purposes which shall include but are not limited to:
 1. *Worship services and/or events held in a place of worship.*
 2. *Activities that actively attempt to convert participants to a particular religion.*

3. ~~Activities that directly support a particular candidate running for any political office, or directly support a political party."~~

For clarity, without categories of recognition, groups of students may receive recognition and then, if the recognized organization qualifies, receive a budget.

Based on the materials we have received these proposals should satisfy all concerns. The Senate will continue reaching out to relevant student organization leaders to ensure we are making progress.

Thank you for your patience,


Zachary Taylor
Chair, Finance Committee


Alexandria Evers
Chair, SOARC

Cc: David M. Dooley, Ph.D., President, University of Rhode Island
Adriana Wilding, President, Student Senate
Tristram Howard, Vice President, Student Senate
Carl G. Stiles, Director, Memorial Union, Student Involvement, Center for Student Leadership Development
Louis Saccoccio, General Counsel, University of Rhode Island
Dan Graney, Ed.D., Dean of Students
Kathy M. Collins, Ph.D., Vice President, Division of Student Affairs
Tim DelGiudice, Chair, Rhode Island Council on Postsecondary Education



September 19, 2018

Marieke Tuthill Beck-Coon
Director of Litigation
Foundation for Individual Rights in Education
510 Walnut Street, Suite 1250
Philadelphia, PA 19106

Dear Ms. Beck-Coon,

I am writing to you today in response to your letter on September 7th, 2018 to President David Dooley and Dr. Carl Stiles for them to "intervene with the Senate and provide written assurance to us and to the university's student organizations that the Senate will immediately cease the practice of denying funding on the grounds that an organization has a political or religious mission, message, or purpose, or engages in political or religious expressive activities."

To clarify, Student Senate (Senate) is a 501(c)3 organization separate from the University. The University provides Senate with the money from the Student Activity Fee and Senate distributes the money. The authority to amend the practices and procedures of Senate resides with Senate in the powers embedded in its Bylaws.

In response to your letters, the Senate is currently initiating multiple projects to address this. This includes changes to the Senate bylaws, and changes to the Senate Finance Handbook. These changes could not occur during the summer because the Summer Senate does not have the authority to change the Senate's Bylaws, which is in Article 4, Section C, Part 3 of the Bylaws.

I have directed the Student Organization Advisory and Review Committee (SOARC) Chair, Alexandria Evers and Finance Chair, Zachary Taylor, to undergo the project of changing categories of recognition, and changes to the Senate Bylaws. They have proposed a resolution that would eliminate the use of categories of recognition within SOARC, the General Senate recognition process, and the Finance Committee's budgeting process. This would eliminate the opportunity for viewpoint discrimination. For the Bylaws change, this would allow the President of the Senate and/or the Rules and Committee to order amendments to any policy instrument within the Senate, which would take effect immediately. Chair Taylor and Chair Evers are currently working on a checks and balances for this process.

Both the resolution and the Bylaws change could be made as soon as September 26th, 2018. If the Bylaws change is passed, I plan on making the following amendments:

1. Eliminating categories of recognition altogether from policy instruments;
2. Amending Article 9, Section A, Part 3, Subpart d of the Senate's Bylaws by inserting "content or viewpoint." at the end of the final sentence;
3. Amending Article 9, Section A, Part 4, Subpart a of the Senate's Bylaws by striking "having a mission that is religious in nature";
4. Amending Article 9, Section B, Part 3 of the Senate's Bylaws by striking (a) and inserting (b)
 - a. ~~PART 3. PURPOSE OF EXPENDITURES~~
~~No student activities tax fund may be distributed to organizations to be expended for such purposes which shall include but are not limited to:~~
 1. ~~Worship services and/or events held in a place of worship.~~

2. ~~Activities that actively attempt to convert participants to a particular religion.~~
 3. ~~Activities that directly support a particular candidate running for any political office, or directly support a political party.~~
- b. "PART 3. PURPOSE OF EXPENDITURES
Funds allocated by the Senate may only directly benefit members of the groups to whom the funds were allocated.

This would allow groups of students to receive recognition, in some cases during re-recognition, and an allocated budget, as appropriate. I appreciate your patience in this matter. Student Senate will be communicating to the leaders of student organizations these anticipated changes.

Sincerely,



Adriana Wilding
University of Rhode Island
Student Senate President

Cc: David M. Dooley, Ph.D., President, University of Rhode Island
Tristram Howard, Vice President, Student Senate
Carl G. Stiles, Ed.D., Director, Memorial Union, Student Involvement, Center for Student Leadership Development
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