



Foundation for Individual Rights in Education

601 Walnut Street, Suite 510 • Philadelphia, Pennsylvania 19106
T 215-717-3473 • F 215-717-3440 • fire@thefire.org • www.thefire.org

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May 3, 2011

Tremayne Smith, President
Student Government Association
East Carolina University
101 Mendenhall Student Center
Greenville, North Carolina 27858

Sent via U.S. Mail and Facsimile (252-328-2038)

Dear President Smith:

The Foundation for Individual Rights in Education (FIRE) wrote to East Carolina University Student Government Association Treasurer Justin Davis on April 11, 2011, expressing concern about SGA's viewpoint discrimination in funding for student organizations. SGA discriminated against Young Americans for Liberty (YAL) by partially denying funds for YAL's "Hemp Fest" event on the ground that "the nature of the event is combustible" and that "[a]ppropriations will not risk tarnishing SGA." FIRE received no reply. A copy of our letter is enclosed.

Although we understand that YAL was able to fund its event with money from other sources, FIRE remains concerned that SGA will discriminate against other student organizations in the future. We remind you and your colleagues that, as an authorized agent of the university, SGA is obligated to uphold the First Amendment when it makes decisions about allocating student activity fee funding to student organizations. If SGA fails to maintain viewpoint neutrality in this regard, the university is obligated to intervene in order to uphold students' First Amendment rights.

No student government at a public university may reduce or deny student activity fee funding to a student group because of its viewpoint or because its expression might trouble, offend, or embarrass the student government. Please clarify to us that SGA will never discriminate against a student organization because of its viewpoint but instead will employ only constitutionally permissible, viewpoint-neutral guidelines.

We ask for a response from you or your successor by May 24, 2011.

Sincerely,



Adam Kissel

Vice President of Programs

Encl.

cc:

Steve Ballard, Chancellor, East Carolina University

Virginia Hardy, Vice Provost for Student Affairs, East Carolina University

Lynn Roeder, Associate Vice Chancellor and Dean of Students, East Carolina University

William McCartney, Associate Vice Chancellor of Campus Living and Dining, East Carolina
University

M. Justin Davis, Treasurer, Student Government Association, East Carolina University

Joshua Martinkovic, President-Elect, Student Government Association, East Carolina
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Daniel Thornton, Vice President-Elect, Student Government Association, East Carolina
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