

THE DAILY NEWS



**No Exceptions
No Excuses!**



January 27, 2006

Jacksonville, North Carolina

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Are colleges trying to be too nice?

January 24, 2006
 BY BARRY SMITH
FREEDOM NEWS SERVICE

RALEIGH - Can niceness be codified? Can you actually make a policy requiring politeness and only politeness?

Apparently a number of colleges and universities across the nation, including some in North Carolina, think you can.

The Foundation for Individual Rights in Education, an organization monitoring First Amendment practices on college campuses throughout the nation, believes that a number of the state's public universities go overboard in trying to mandate niceness. In fact, a report that FIRE recently issued says that policies at many schools in the University of North Carolina system are overboard and likely unconstitutional.

"Disproportionately, we are finding serious abuses of free speech in North Carolina," Greg Lukianoff, FIRE's interim president, said during a press conference the other day.

Lukianoff cited as an example a previous "nondiscrimination" policy at UNC-Chapel Hill which led to a Christian fraternity losing its campus recognition because, well, it required its members to be Christians. The policy, Lukianoff said, violated the fraternity's freedom of association - the freedom to associate with people of like beliefs.

Plus, such a policy comes up short in the common-sense department.

The campus has since changed its policy to allow for a "commitment to a set of beliefs."

Most of the problems cited by FIRE have to do with speech codes and nondiscrimination policies.

For example, the FIRE report cites a policy at UNC-Greensboro that says it will not tolerate "any harassment of, discrimination against, or disrespect of persons."

Huh? Does not tolerating "disrespect of persons" mean that you have to say "yes ma'am" and "no sir" every time you respond to a professor? Or for that matter, would that be required every time a student responded to a roommate's question?

The report also cites a N.C. Central University policy which prohibits employees and students from downloading "offensive or derogatory material from the Internet."

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The university, as a state entity, is constitutionally allowed to prohibit the use of its computers for downloading hardcore pornography, the report says. But, the report goes on, the state cannot ban communication "simply because someone finds it offensive or derogatory."

Lukianoff urged the universities to take a good, hard look at their policies, adding that the campuses would likely lose in court if anyone ever chose to sue them.

The greater problem, however, isn't that the university could be setting itself up for a lawsuit. As Lukianoff points out, the real problem is the chilling effect that these policies have on free speech, freedom of expression and freedom of association.

And colleges and universities are supposed to be places that encourage, not discourage, ideas.

Barry Smith writes for Freedom Communications Inc.'s Raleigh bureau. He can be reached at bsmith@link.freedom.com.

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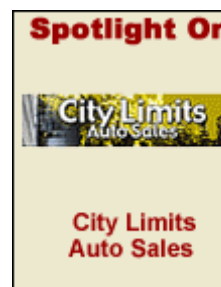
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- ▶ None for today.
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