



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

Greg Lukianoff
PRESIDENT

November 15, 2011

Robert L. Shibley
SENIOR VICE PRESIDENT

President Robert J. Zimmer
University of Chicago
Administration Building
5801 South Ellis Avenue
Chicago, Illinois 60637

William Creeley
DIRECTOR OF LEGAL AND
PUBLIC ADVOCACY

Adam Kissel
VICE PRESIDENT OF
PROGRAMS

Sent via U.S. Mail and Facsimile (773-702-0809)

Dear President Zimmer:

Alan Charles Kors
CO-FOUNDER AND
CHAIRMAN EMERITUS

As you might remember from our previous correspondence, the Foundation for Individual Rights in Education (FIRE) unites leaders in the fields of civil rights and civil liberties, scholars, journalists, and public intellectuals across the political and ideological spectrum on behalf of liberty, legal equality, academic freedom, due process, freedom of speech, and freedom of conscience on America's college campuses. Our website, thefire.org, will give you a greater sense of our identity and activities.

BOARD OF DIRECTORS

Harvey A. Silverglate
CO-FOUNDER AND
CHAIRMAN

FIRE is concerned by the threat to freedom of association posed by the decision of the University of Chicago's Committee on Registered Student Organizations (CORSO) to deny Registered Student Organization (RSO) status to the student group Occupy Wall Street at the University of Chicago. This student organization has fulfilled all of the stated requirements for RSO status, and its mission and activities constitute core political speech at the heart of freedom of association principles.

Barbara Bishop
William J. Hume
Richard Losick
Joseph M. Maline
Marlene Mieske
Daphne Patai
Virginia Postrel
Daniel Shuchman

This is our understanding of the facts. Please inform us if you believe we are in error.

BOARD OF ADVISORS

Lloyd Buchanan
T. Kenneth Cribb, Jr.
Candace de Russy
William A. Dunn
Benjamin F. Hammond
Nat Hentoff
Roy Innis
Wendy Kaminer
Woody Kaplan
Leonard Liggio
Herbert London
Peter L. Malkin
Muriel Morisey
Steven Pinker
Milton Rosenberg
John R. Searle
Christina Hoff Sommers

In mid-October of this year, University of Chicago student Guy Mount submitted to CORSO a complete application for RSO status for Occupy Wall Street at the University of Chicago. The organization's mission is "to provide intellectual, logistic, financial, organizational and institutional support in solidarity with the local Occupy Chicago movement as well as the broader Occupy Wall Street movement." On the CORSO Organizational Information Questionnaire, answering the question "How would your organization becoming an RSO benefit the University community?" Mount wrote:

Provide a central meeting ground for students interesting in working for social change. Offer a platform for students to participate in grass roots democratic experiments and learn the values of active, engaged citizenship and selfless community participation. Institutionally link the University community directly to activist[s] on the ground who may be in the process of producing the most important mass mobilization of this generation.

On November 9, 2011, CORSO Chair Katie Burkhart reported to Mount that CORSO had denied the application, writing, “Since the organization would be in line with a temporary political movement, the committee felt it wasn’t a sustainable basis for an RSO.” CORSO recommended “expanding the scope of your organization.”

Burkhart added that the student group could still network with existing RSOs and that the Office of the Reynolds Club and Student Activities (ORCSA) would be “very flexible ... as far as providing resources, facilities, etc.” for organizing protests. Burkhart also noted that Mount could email her to set up an appeal.

According to the University of Chicago Student Assembly By-Laws, the Director of ORCSA grants RSO status to student organizations upon the recommendation of CORSO. RSO status affords access to various ways of getting an organization’s message out, including supplies for making banners, support for a mailing list and website for the organization, ability to submit events to the university’s Student Events Calendar, and ability to apply for student activity funding.

CORSO has inappropriately decided to deny RSO status to Occupy Wall Street at the University of Chicago. CORSO has unjustly privileged students and student organizations with long-term, popular missions at the expense of students and student organizations it has subjectively judged to have “temporary” missions. Such selective application of what appears to be an unwritten policy is a fundamental abandonment of the principle of viewpoint neutrality to which the University of Chicago is obligated to adhere in allowing its students freedom of speech and freedom of association. Student organizations involving such core political expression and goals as those listed by Mount on the questionnaire are precisely at the heart of what the principles of free association protect.

As a University of Chicago student, I served on CORSO for a number of years. In my experience, CORSO never denied status to an organization because we thought it was too small or temporary to survive, nor did CORSO have a written or unwritten policy against recognizing such organizations. Instead, we recognized that students pay a mandatory fee for student activities while they are enrolled, not for activities that might occur at some point in the future after they have left the university. If Occupy Wall Street at the University of Chicago might wink out of existence after the current quarter or the current year—no rare occurrence—that is no reason to deny RSO status and resources to fees-paying students this quarter, this year.

FIRE requests that CORSO recommend the approval of RSO status for Occupy Wall Street at the University of Chicago upon appeal. Failing that result, FIRE requests that ORCSA use its authority to uphold freedom of association for Occupy Wall Street at the University of Chicago

by recognizing the group. Freedom of association requires that every group have an equal chance to succeed in the marketplace of ideas.

FIRE requests a response by December 5, 2011.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Kissel". The signature is fluid and cursive, with the first name "Adam" written in a larger, more prominent script than the last name "Kissel".

Adam Kissel

Vice President of Programs

cc:

Katie Burkhart, Chair, Committee on Recognized Student Organizations, University of Chicago

Sharlene Holly, Director, Office of the Reynolds Club and Student Activities, University of
Chicago

Kimberly Goff-Crews, Vice President for Campus Life and Dean of Students in the University,
University of Chicago