



**Foundation for Individual Rights in Education**

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June 15, 2010

President John J. DeGioia  
Office of the President  
Georgetown University  
204 Healy Hall  
37th & O Streets, NW  
Washington, DC 20057-1789

*Sent via U.S. Mail and Facsimile (202-687-6660)*

Dear President DeGioia:

We appreciate the June 1 response from Associate Vice President for Student Affairs Jeanne Lord in reply to our letter of May 4. We write again today asking you to clarify Georgetown's priorities.

We understand that Georgetown maintains, on the one hand, an Access to Benefits Policy that denies various fundamental benefits to student groups with stated purposes that conflict with Catholic moral teaching. On the other hand, Georgetown maintains a Speech and Expression Policy that promises that **“time, place and manner” are the only norms allowable** in governing the expression of ideas and sharing of information that is the very life of the university.” (Emphasis added.)

Although each policy is clear enough on its own terms, the two are fundamentally contradictory. Organizations that conflict with Catholic moral teaching do not have equal access to funding or other benefits that directly impact their ability to communicate at the university—a result in direct conflict with Georgetown's promise to limit student expression only with viewpoint-neutral time, place, and manner restrictions.

We ask you to resolve the contradiction between Georgetown's policies. Of course, Georgetown is perfectly free to further emphasize its Catholic and Jesuit identity by expressly limiting its free speech promises. It also is free to offer all communication-based benefits to all students on an equal basis by revising its Access to Benefits Policy. It cannot logically maintain both policies as they are. Students who rely on Georgetown's very strong free speech promises when they matriculate have reason to feel duped—and so do students who rely on Georgetown's very strong assertion of its religious identity.

While the Access to Benefits Policy is enforced by the Vice President for Student Affairs, the Speech and Expression Policy cuts to the “very life of the university.” For this reason, we ask for a response from you personally. We would appreciate hearing from you by July 13, 2010.

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

Director, Individual Rights Defense Program

cc:

James J. O'Donnell, Provost

Todd A. Olson, Vice President for Student Affairs and Dean of Students

Jeanne Lord, Associate Vice President for Student Affairs

Erika Cohen-Derr, Director of Student Programs

Judith Areen, Interim Dean, Georgetown University Law Center

Randy E. Barnett, Carmack Waterhouse Professor of Legal Theory

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Nicholas Quinn Rosenkranz, Associate Professor of Law

Rebecca L. Tushnet, Professor of Law