

State tries to remedy free speech concerns

By Lisa Falkenberg
THE ASSOCIATED PRESS

The sophomore creative writing student applied time and again to hold forums — on censorship, on lead, arsenic and children and even one event comparing campus administration to Saddam Hussein — at the student union at the University of Texas at El Paso.

Time and again, he was denied. The student union wasn't in one of the two "free speech zones" on campus.

After months of tangling with administrators and a net of bureaucratic application procedures required to give a speech, Ruben Reyes sued the school's administrators and the University of Texas System Board of Regents for allegedly violating his First Amendment rights.

His battle, one of many at universities across the state, caught the attention of state lawmakers, who are pushing a bill through the Texas Legislature intended to cut down on the use of designated speech zones and other limits universities place on free speech rights.

"Unfortunately, Texas universities are not meeting their obligation to provide a free learning environment for students," said bill author Rep. Norma Chavez, D-El Paso. "This bill ensures that universities provide students with

a chance to express their ideas without fear of being arrested or disciplined unfairly."

The concept of so-called "free speech zones" caught like wildfire at colleges and universities across the country over the past two decades. Universities argue the zones facilitate orderly expression. Students say such zones stifle debate by limiting access and by allowing administrators, often the dean of students, to make the final decision on what speech gets heard.

Reserving the zones, which may be required weeks before the event, is also problematic, students say, because it's often impossible to demonstrate over timely events.

Students at UTEP aren't the only ones bucking free speech regulations.

University of Texas students successfully challenged the school's policy of allowing demonstrations only in certain areas. Since February, the entire campus has been open to speeches and demonstrations.

Students at the University of Houston said their lawsuit had the opposite effect.

The Pro-Life Cougars student organization won their first legal battle last fall when a judge ordered the group be allowed to display graphic pictures of dead fetuses in one of the university's main thoroughfares. UH originally refused to allow the display

outside of four designated "free speech zones."

But the anti-abortion group sued again shortly afterward, claiming that a new UH policy, which limited speech to only four designated zones, was more unconstitutional than the previous one.

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— Rep. Norma Chavez
D-El Paso

"Thirty-five thousand people and there's these four small areas and that's it," said law student and Pro-Life Cougars chairman Jonathan Saenz. "It sent the message to the students that your speech isn't that important. We can put you in an area over here and you're just going to have to deal with that."

"It's contrary to what a lot of people think the college experience is about — challenging what you believe and what others believe."

A fifth speech area is available

to students without reservations, but picketing, displays and sound equipment are prohibited.

UH spokesman Mike Cinelli said the new policy is constitutional because universities have a legal right to regulate time, place and manner of speech.

"The idea that this campus is not open to free speech is just not accurate," Cinelli said, but he added that universities have the right to limit demonstrations or displays that could "disrupt the academic mission of the university."

At UTEP, students say administrators have used intimidation tactics such as summoning campus police to supervise demonstrations and threatening administrative action against students who push the limits on speech.

"What they use is this phrase: 'Would you like to endanger your relationship with the university?'" said Reyes, a politically active student who is running for city council in El Paso. "They are becoming more strict, more Draconian with their limitations."

A UTEP university spokeswoman said administrators could not comment on pending litigation although Schafer was quoted in the El Paso Times in March shortly after the lawsuit was filed saying the university supports "the free exchange of information and expression."

Some legal experts say the concept of speech zones is simply unconstitutional.

NEWS IN BRIEF

Lockheed union votes in new contract to end strike

FORT WORTH, Texas (AP) — The union striking for better wages and relief from high medical insurance and prescription drug costs at Lockheed Martin Aeronautics Co. voted Sunday on a new contract proposal that it anticipates will offer a better health insurance package than the one it turned down two weeks ago.

Representatives of the 4,000-member

Machinists Union local and Lockheed Martin agreed early Saturday morning to a new contract proposal.

Pat Lane, president of Machinists Local 776, called a meeting of the union membership for 2 p.m. Sunday at Cowtown Coliseum in the Fort Worth Stockyards.

Lane wouldn't divulge details of the contract or say whether he would recommend its approval. A majority vote is required for approval of the contract.

The strike, the third since 1984, began on

April 14 after about 4,000 IAM members voted against accepting a proposed contract with wage increases that some union members said would be sharply cut by higher health care costs.

One of the most objectionable provisions, according to workers, was a change requiring greater co-payments on prescription drugs by workers.

Lockheed Martin Aeronautics President Dain Hancock said that a 107 percent increase in health care costs was the reason that health insurance benefits were tightened.

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