

Silencing students' speech

Designated protest zones violate First Amendment right to freedom of expression

Freshmen, welcome to Texas A&M. It may come as a surprise that there are policies in place at A&M designed to violate students' First Amendment rights, specifically the right to free speech, by having designated "Free Speech Zones." Two weeks ago, the U.S. Education Department's Office of Civil Rights sent a letter to universities across America denouncing such unconstitutional behavior, and A&M's administration would be wise to end its speech codes before the rights of students are violated.



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The Office of Civil Rights issued its letter in the wake of numerous incidents in which students were denied their right to free speech and peaceful assembly. The letter informed university officials that students cannot be punished for speech because another person finds it offensive. This is important because many Texas universities, including A&M, have legally dubious speech codes.

A&M rules prescribe disciplinary action for students and faculty who engage in activities deemed "disruptive." Guidelines state that, "The university reserves the right to cancel any event it deems likely to cause an interruption in the university's orderly activities." The University discrimination policy defines hate speech as "expressions that are insensitive, demeaning or hostile in nature." Most Aggie Yells would be considered all of the above. Such vague rules, if enforced, are lawsuits waiting to happen.

Last year, students in Walton Hall faced disciplinary action when they were accused of planning an off-campus "ghetto party." Students have also been threatened with disciplinary action for participating in Bonfire-related activities. In another incident last year, Christian faculty members in the College of Education were threatened with dismissal for speaking out against a departmental policy that would have required them to "celebrate" homosexuality. Regardless of how one feels about these activities, it is impossible to justify violating student and faculty First Amendment rights.

A&M's "Free Speech Zone" policy restricts students to practicing their First Amendment rights only in one of three designated areas, according to the University's Scheduling Web site. To use these zones, the person or organization sponsoring the event must apply 48 hours in advance, and the application must be approved by three officials before the event can take place.

The same officials who place such a premium on the notion of "diversity" also use speech codes to suppress the expression of diverse ideas.

"Speech codes are tools that administrators use to quash speech they do not agree with, and to punish students and faculty members for expressions they do not agree with," said Erich J. Wasserman, Foundation for Individual Rights in Education's executive director. FIRE is a nonprofit legal organization that works to "defend and sustain individual rights at America's increasingly repressive and partisan colleges and universities." FIRE, along with the American Civil Liberties Union, has taken the lead in defending students' First Amendment rights on campuses. Unless A&M policies change, administrators could soon find themselves getting to know these two groups very well.

Recently at the University of Houston, a pro-life student group was prevented by college officials from having displays outside the campus' free speech zones. Understanding their rights, the students took their administrators to court. The administrators were ordered to change the free speech zone policy and pay the students \$93,000 in attorney fees. Other schools that have revoked free speech zone policies include West Virginia University, the University of Maryland and the University of Texas. A lawsuit is pending against Texas Tech for its speech code, which closely mirrors A&M's.

The rights of every American should be respected, as thousands have given their lives to secure them. People shouldn't abuse that right by using it as an excuse to push back the frontiers of decency. More importantly, respecting these rights means calling the government, including university officials, on the carpet when it infringes on those rights.



Matt Maddox is a senior management major. Graphic by Ruben DeLuna

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Misplaced priorities

Kinesiology attendance policy limits students' ability to meet responsibilities

Scenario: A student is assigned a registration time of 8 a.m. Even though the University gives the student 48 hours to register, the student knows it is important to register as soon as possible to get the section he needs. The problem is that the student has an 8 a.m. racquetball class. If he chooses to register at the most advantageous time, the student will be tardy for his physical education activity class.



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For other classes, it would be possible for the student to explain the situation to his instructor. Then the decision to make any punitive actions would be left to the professor's discretion. But, because racquetball is a kinesiology course, a policy by the Department of Health and Kinesiology mandates that the racquetball instructor deduct a point off of the student's final grade.

The policy needs to be changed. Specifically, the policy states that a point will be deducted from a student's final grade for each tardy up to 10 minutes. After 10 minutes, the student is considered absent which carries more severe consequences. The kinesiology instructor is obligated to deduct three points from a student's final grade if he is absent or more than 10 minutes late. This policy applies to all kinesiology physical activity courses and is printed on syllabi handed out in those classes.

It is a flawed and unnecessarily rigid policy. Kinesiology instructors must be able to exercise their own discretion in deciding whether points should be deducted from a student's final grade as the result of an absence. Furthermore, the problem is exacerbated when one considers that kinesiology is required for all non-Corps students. It makes little sense to apply such a narrow rule to a wide population with diverse interests.

The policy for kinesiology courses has been around for a long time. Although a specific time of origin is hard to pin down, Frank Thomas, a senior lecturer and chair of the Physical Education Activity Program for the Department of Health and Kinesiology, said he's been with the department since 1979 and has always remembered having the policy in place. Thomas said the attendance policy is based on the University Attendance Policy, which is

available on the student rules Web site. The Department of Health and Kinesiology believes it has all of its bases covered with regard to legitimate reasons why a student may be absent. Its attendance policy allows for "death or major illness in a student's immediate family, participation in legal proceedings..." religious holy days and an illness that is validated by the A.P. Beutal Health Center or a physician.

The policy also allows for "participation in an activity appearing on the University authorized activity list." Although none of the past kinesiology syllabi used as research for this column instructed where to find this list, it is available online at the student activities Web site. If a student wishes to participate in an activity that could be legitimate by University standards but somehow does not end up on the University authorized activity list and conflicts with a kinesiology course, the student will either have to deal with the severe consequences of an unexcused absence or forgo participation in the activity.

This is why allowing instructors to exercise their individual discretion is important. Not all legitimate excuses for absence or tardiness will be covered by the policy. For instance, the registration example discussed previously. Also, some professors will excuse a senior if the student has a job interview in another city.

As Thomas correctly points out, there are some good points to the attendance policy. He said that although theory is discussed in kinesiology courses, it is important that students participate in these classes because they are physical courses.

This is very true, but overall, this policy encourages resentment from dedicated students who have legitimate reasons for missing the occasional class. It also contributes to the perception by many students that fulfilling their kinesiology requirement is something to be endured rather than something to look forward to. Abolishing the attendance policy would illustrate that administrators understand that students may have more important commitments than a racquetball class.

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Unimaginative plans

Gig 'Em Week provides little chance for incoming students to feel welcome

At first glance, the cluttered calendar of activities the week before classes seems to provide more than ample opportunities for new students to learn about Texas A&M and meet new people. However, Gig 'Em Week, the series of events aimed at welcoming incoming freshmen and transfer students into the A&M community, has failed to meet students' needs, despite revisions from previous years. The week that is supposed to introduce new students to the community provides no opportunity for them to truly meet other people.



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According to the student affairs Web site, Gig 'Em Week's events include various seminars on subjects such as employment, buying textbooks and leadership. Socials, such as the showing of "Chicago" at Simpson drill field tonight at 8:30 p.m., are sponsored by student organizations, including the Aggie Orientation Leader Program, the Honor Programs, residence halls and several apartment complexes.

However, none of the events are projected to draw even half of the 6,800 members of the Class of 2007, according to Cynthia Hernandez, director of New Student Programs.

Even though all events are free and open to all students, most of the events — such as a "campus dance night" on the Academic Plaza, a pizza taste-off or the ice cream social — would be awkward to attend solo. However, many new students come to A&M without an established group of friends. Gig 'Em Week events provide activities to attend

with friends, but many freshmen have not had the opportunity to make those friends yet.

Compared to other schools, A&M's idea of "welcoming" freshman is not as friendly. At Baylor University's Welcome Week, students are assigned to small groups with upperclassmen leaders to interact with during the week's activities. At the University of Texas, different events are grouped by college. At A&M, they assume students will know each other already.

While some freshmen may know each other from programs earlier in the summer such as Fish Camp, Impact, Excel and T-Camp, many new students cannot sacrifice the time or the money to attend any of these. Those who do attend may leave the experience without meeting anyone with whom they would willingly socialize.

A&M must not ignore the fact that many students do not attend Fish Camp or similar programs. It is a necessity to welcome all students once they arrive at A&M, even if they may have participated in previous events. Gig 'Em Week should do this, but instead it uses unimaginative plans that fail to compete with events at other universities.

The New Student Programs office should put more effort into welcoming the students it claims to serve. There should be more to greeting new students than providing them with activities and food.

If they are lucky, the individual members of the Class of 2007 and transfer students will be welcomed to A&M through various means, but it is doubtful that Gig 'Em Week will be one of them.

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