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September 1, 2010

President John C. Bravman

Alan Charles Kors
CO-FOUNDER AND
CHAIRMAN, FIRE

Dear President Bravman:

BOARD OF DIRECTORS

Harvey A. Silverman
CO-FOUNDER AND
CHAIRMAN, FIRE

Thank you for your July 8, 2010, response to our June 18 letter. I appreciate your intention of studying the free speech issues at Bucknell University that we brought to your attention. I also appreciate your statements that “no student, faculty or group at Bucknell will be punished for speaking out on the issues of the day” and that “no policy here will be used to squelch free speech, even if it is provocative.” To that end, two Bucknell policies must be revised.

Marlene Mieske

First, Bucknell maintains a campus-wide Sales and Promotions policy that requires preregistration and preapproval of “promotions” of “causes.” Quite apart from any past events, this policy is not consistent with the principles of free speech. Speech that normally would be protected when students promote a cause, such as distributing political literature in the open areas of campus, cannot be subject to conditions of prior registration and prior approval without

Lloyd E. Richman
T. Kenneth Cribb, Jr.
Candace de Russy
William A. Evans

of Thomas Paine, it has been inconsistent with basic American conceptions of liberty to require any kind of licensing or preapproval for pamphleteers or others who wish to engage in noncommercial speech. I urge you to revise the Sales and Promotions policy accordingly.

Woody Kaplan

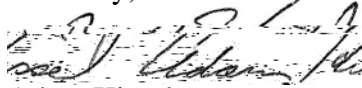
Second, Bucknell maintains an unwritten policy prohibiting “affirmative action” bake sales and similar kinds of bake sales. The pricing for the “affirmative action” bake sale that the Bucknell University Conservatives

listed the bake sale prices as “optional,” making it clear that anyone could pay whatever price they wanted, regardless of race. Former Dean Gerald Commerford completely rejected this option, however, saying, “No, no, no, no, no, no, no, no, because it’s a discriminatory [pricing] policy.” He then added, “It’s a political issue, ok; it needs to be debated in its proper forum, ok, and not on the public property on the campus.” When a BUCC member then asked, “There is no way we can have an event like this?” Commerford replied, “No.” You are welcome to listen to the recording yourself. If

quite a long time to correct its policies. Please start your presidency on the right foot by revising Bucknell's policies to make them consistent with your promise of free speech.

We request a response by September 15, 2010.

Sincerely,



Adam Kissel

Director, Individual Rights Defense Program

cc:

Kenneth W. Freeman, Chair, Board of Trustees

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Tom Evelyn, Senior Director of News and Media Relations

Professor Thomas Shawe, BUCC Advisor