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- § failure to comply with the directions of a university administrator;
- § conduct or a pattern of conduct that harasses a person or group;
- § intimidation of any person which results in limiting his/her full access to all aspects of life at the university.

The Student Conduct Board held a hearing on November 9. On November 17, Sheppard notified Park that the Student Conduct Board found him guilty of all charges. **Park currently faces suspension from the university until January 2008, during which time he cannot even set foot on campus; completion of 300 hours of community service; an assignment to read 12 books and do a reflection paper on each; a**

You stated in a letter to the JHU community that in response to the “Halloween in the Hood” party, you have introduced a number of initiatives to “build a stronger community.” Paramount among these initiatives is the institution of the “Principles for Ensuring Equity, Civility and Respect for All” (hereinafter “the Principles”), which set forth JHU’s “unyielding expectations” for the conduct of the entire university community. The regulations contained in that document are both vague and overbroad, and rather than demonstrating that JHU values respect and diversity, they pave the way for viewpoint discrimination and administrative abuses.

The Principles provide that:

- § The Johns Hopkins University is an environment in which all people behave in a manner that engenders mutual respect, treating each other with courtesy and civility regardless of position or status in the academy. ***Rude, disrespectful behavior is unwelcome and will not be tolerated.***
- § Our community is one where we demonstrate respect for each other; we accept our individual differences; and we provide opportunities for everyone to maximize his or her potential. ***Every member of our community will be held accountable for creating a welcoming workplace for all.***

(Emphasis in original).

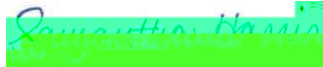
If JHU were a public university, its requirement of civility and its ban on “rude” and “disrespectful” behavior would be laughably unconstitutional. As the U.S. Supreme Court has stated, “[i]t is firmly settled that under our Constitution the public expression of ideas may not be prohibited merely because the ideas are themselves offensive to some of their hearers.” *Street v. New York*, 394 U.S. 576, 592 (1969).

Further, the Principles are unacceptably susceptible to arbitrary enforcement by the college. To cite just one example, Justin Park claims that he was treated both rudely and with disrespect at the meeting of the Black Student Union (BSU) to which he was invited in the wake of the Halloween controversy. Does JHU plan to investigate and possibly prosecute the BSU members who reacted angrily to Park at that meeting? Unless JHU plans to prosecute all instances of rudeness or disrespect on its campus, this policy will necessarily be applied arbitrarily and at the discretion of administrators—a recipe for severe injustice.

FIRE requests that JHU immediately rescind all of the current sanctions against Justin Park and remove any record of this incident from Park’s

As this is a matter of utmost urgency, we ask for a response to this letter by the close of business on Tuesday, December 5, 2006. I look forward to receiving your response.

Sincerely,

A handwritten signature in blue ink that reads "Samantha Harris". The signature is written over a solid blue rectangular background.

Samantha Harris
Director of Legal and Public Advocacy

cc:

Robert Turning, Director of Greek Affairs, Johns Hopkins University
Dorothy Sheppard, Associate Dean of Students, Johns Hopkins University
Caroline Laguerre-Brown, Associate Director for Compliance and Conflict Resolution, Johns Hopkins University
Dennis O'Shea, Executive Director of Communications and Public Affairs, Johns Hopkins University
Susan Boswell, Dean of Students, Johns Hopkins University
Ralph Johnson, Assistant Dean of Students, Johns Hopkins University
Linda Robertson, Vice President for Government, Community and Public Affairs, Johns Hopkins University
Stephen Dunham, Vice President and General Counsel, Johns Hopkins University
Justin H. Park