

David French
PRESIDENT

October 10, 2005

Greg Lukianoff
DIRECTOR OF LEGAL AND
PUBLIC ADVOCACY

Interim Chancellor Vicki Lord Larson
University of Wisconsin–Eau Claire
Park and Garfield Avenue
Eau Claire, Wisconsin 54702-4004

Rob Pfaltzgraff
VICE PRESIDENT OF
DEVELOPMENT,
MANAGEMENT, AND
MARKETING

Sent by U.S. Mail and Facsimile (715-836-2902)

Dear Chancellor Larson:

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It is with continued disappointment that FIRE writes to the University of Wisconsin-Eau Claire for the third time in a year concerning issues of student freedom on your campus. Our last two letters to you and former chancellor Donald Mash dealt with issues of student expression and religious freedom in regard to the university's service learning requirement and the student senate's refusal to fund a student newspaper because the newspaper had an ideological viewpoint. Unfortunately, the apparent hostility of the UWEC community to the freedoms of religion and expression does not seem to have abated, forcing FIRE to once again come to the aid of UWEC students.

FIRE has learned that a UWEC administrator has issued an unconstitutional order barring resident assistants from holding religious study groups in their dormitories. UWEC has threatened that any RA who leads such a meeting in his or her own dorm room or anywhere else in his or her own dorm would be subject to "disciplinary action." This prohibition on private student religious activity is an immoral restriction of religious liberty and, at a state-supported institution such as UWEC, is an unlawful infringement on students' First Amendment rights to freedom of religion and freedom of association.

This is our understanding of the facts, taken from university documents, e-mails, and student media accounts of the situation. Please inform us if you believe we are in error. UWEC senior Lance Steiger and several other members of Student Impact, UWEC's chapter of Campus Crusade for Christ, serve as RAs in several dormitories on campus. One of the religious activities in which these students engage is leading Bible study groups for interested students in their dormitories. Some of these Bible study groups are held in the dorm rooms of the study leaders, while others are held in various other places in the dormitories and on campus in general.

On July 26, 2005, Deborah Newman, UWEC's associate director of housing and residence life, mailed a letter to several RAs who were leading Bible study groups in their dorm rooms. In her letter (attached), Associate Director Newman stated that "we specifically explained to RAs that we do not want this to occur" and forbade the students from leading any more Bible study groups in their rooms. (Steiger and other RAs involved deny that any such thing was explained to them, and no such restriction appears in UWEC's

been impressive. [Thesing-Ritter] said it has been a pleasure to see the empowerment of the students as a result of Huebner's hard work and dedication.”

As I am sure you are aware, *The Vagina Monologues* contains many words and ideas that a vast number of UWEC students—and Americans at large—would find extremely offensive. In addition, the play itself was written with a distinct ideological agenda in mind. It is inevitable that some students, when faced with an RA who organized such an event as an official hall activity, would feel very uncomfortable. Yet rather than receiving a letter from the housing office ordering her to cease her production of the play out of concern that she be “approachable” to all students, Huebner garnered very public praise in the college newspaper from a housing office official.

Moreover, while Huebner organized *The Vagina Monologues* as an official residence hall activity, Steiger and other RA members of Student Impact have no intention of making their Bible studies into official hall activities. They merely wish to be allowed to lead such studies in their own rooms or dormitories. Also, the RAs who wish to conduct Bible studies wish to do it on their own time without interfering with their duties as RAs. Contrastingly, the article on Huebner states, “Huebner admits with the *Vagina Monologues* this semester she has not had as much time as she would have liked for her wing,” although it stated that her wing had not been “neglected.”

FIRE would not and does not argue that Huebner should not have been allowed to organize *The Vagina Monologues* in her residence hall; in fact, the opposite is true. However, the fact that Huebner was praised for organizing an extremely ideological and potentially offensive event in her residence hall while Steiger and other RAs are forbidden from leading Bible study sessions that are not even official hall activities shines a spotlight on a conspicuous, embarrassing, and unconstitutional double standard in operation at UWEC.

UWEC's use of the requirement that students be comfortable with their RAs as a method of regulating their religious or ideological behavior raises its own very serious concerns. For instance, what if an RA decided to conduct a gay literature study group in his dorm room—an activity that would be likely to make students uncomfortable with homosexuality similarly uncomfortable with the RA? Would UWEC ban RAs from studying this type of literature in their rooms?

The list of Resident Assistant Duties given to every UWEC RA explicitly states that he or she has the responsibility to be “first of all a university student,” and as you know, every university student at a public university such as UWEC enjoys the full panoply of First AmenTj0.0002 Tc -0.tould not h12

FIRE requests that UWEC immediately end its ban on RAs leading Bible studies in their rooms or residence halls, and that it take steps to inform all those students who were ordered to stop conducting Bible studies that this prohibition is no longer in effect and that they will face no disciplinary action if they continue to hold Bible study groups. FIRE hopes that we can resolve this situation thoroughly and swiftly; however, we are categorically committed to using all of our resources in support of your students' religious and expressive rights and to seeing this process through to a just and moral conclusion. Please spare the University of Wisconsin–Eau Claire the embarrassment of fighting against the Bill of Rights, by which it is legally and morally bound. Given the importance of this matter and the fundamental nature of the rights at stake, FIRE requests a response by 5 p.m. Eastern Time on October 28, 2005.

Sincerely,

A handwritten signature in blue ink that reads "Robert L. Shibley". The signature is written in a cursive style and is positioned above a solid black horizontal bar that redacts the printed name.

Robert L. Shibley
Program Manager

cc:

Ronald Satz, Provost and Vice Chancellor, University of Wisconsin-Eau Claire

Patricia A. Brady, General Counsel, University of Wisconsin System

Dr. William Harms, Associate Vice Chancellor

Charles Major, Director of Housing and Residence Life

Deborah Newman, Associate Director of Housing and Residence Life

Encl.



It was brought to my attention at the end of the last academic year that your name was listed as a bible study leader and community member.

Let me take a moment to explain the rationale for this concern.

We must suggest ways to make sure KAs are available to all residents. We have monitored the nation's A&E leaders and their behavior. We should not be involved in such behavior in their remarks. I would have thought that we should not be involved in such behavior in their remarks.

Sincerely,