



F I R E

601 Walnut Street, Suite 510 • Philadelphia, PA 19106
T 215-717-3473 • F 215-717-3440 • fire@thefire.org • www.thefire.org

Greg Lukianoff
INTERIM PRESIDENT

January 6, 2006

Rob Pfaltzgraff
VICE PRESIDENT OF
DEVELOPMENT,
MANAGEMENT, AND
MARKETING

Kevin P. Reilly
University of Wisconsin System President
1720 Van Hise Hall
1220 Linden Drive
Madison, Wisconsin 53706-1559

BOARD OF DIRECTORS

Re: UW Policies Banning RA-Led Bible Studies in Dormitories

Alan Charles Kors
CHAIRMAN

Sent by US Mail and Facsimile (608-262-3985)

Harvey A. Silverglate
VICE CHAIRMAN

Dear President Reilly:

William J. Hume
Joseph M. Maline
Michael Meyers
Marlene Mieske
Daphne Patai
Virginia Postrel
Ed Snider
James E. Wiggins

As we are sure you are aware, the Foundation for Individual Rights in Education (FIRE) is the organization that originally exposed the policy at the University of Wisconsin–Eau Claire (UWEC) that forbade resident assistants (RAs) to lead Bible or other holy book studies in their own dorm rooms or dormitories. FIRE’s mission is to protect, promote, and defend individual liberty on America’s college and university campuses. Therefore, in response to your public request for input on the policies in place at UWEC and at the University of Wisconsin–Madison (UWM) that ban RA-led Bible studies, FIRE would like to remind you and other officials considering the situation of the important issues and fundamental rights that are at stake in this controversy.

BOARD OF ADVISORS

Lloyd Buchanan
T. Kenneth Cribb, Jr.
Candace de Russy
William A. Dunn
Benjamin F. Hammond
Nat Hentoff
Roy Innis
Wendy Kaminer
Woody Kaplan
Leonard Liggio
Herbert London
Peter L. Malkin
Milton Rosenberg
John R. Searle
Ricky Silberman
Christina Hoff Sommers

First, it is of the utmost importance that the University of Wisconsin System (UW System) recognizes that the policy that was in effect at UWEC (and that has now been suspended) is unconstitutional. FIRE’s first communication with UWEC (attached) regarding the controversy stemmed from a letter and e-mail message from Associate Director of Housing and Residence Life Deborah Newman to undergraduate RA Lance Steiger that promulgated an otherwise unwritten policy banning RAs from leading Bible studies in their own dorm rooms or dormitories.

expression or activities, such as *Widmar v. Vincent*, 454 U.S. 263 (1981), *Rosenberger v. Rector and Visitors of the University of Virginia*, 515 U.S. 819 (1995), and *Board of Regents of the University of Wisconsin System v. Southworth*, 529 U.S. 217 (2000). In *ef[tS7* (gase,

supervision to attend Bible study, the university would certainly be justified in interceding. However, there is no indication that this has been the case with any RA who has led a Bible study in his or her room. Indeed, the original concern of UWEC was that an RA who was known to be religious might not be as “approachable” as an RA who did not have or who hid his or her own religious beliefs. Yet by acknowledging that the university could not stop an RA from leading a Bible study outside his or her own dormitory, UWEC encouraged those RAs to engage in behavior that would make them not just unapproachable but actually less available than they might otherwise be.

FIRE sincerely hopes that in making a decision about this policy, the UW System will consider the legal precedent we have cited in this letter and our previous lett