

Cal Poly defends censorship charge

By Caroline Lindahl

summer mustang staff writer

Cal Poly has been thrust into the media spotlight recently because of accusations from news pundits and academics alike that the university punished a student for posting a controversial flier last year.

The Cal Poly Administration maintains that the issue at hand is not free speech; rather, it is a case involving inappropriate student conduct, they say.

Cal Poly undergraduate Steve Hinkle, then a member of the Cal Poly College Republicans, was charged with engaging in conduct which disrupted a meeting of students in the Multicultural Center when he attempted to post a controversial flier advertising a controversial speech by Mason Weaver on Nov. 12, 2002.

Weaver, a black conservative syndicated columnist and radio talk show host, is the author of "It's OK to Leave the Plantation: The New Underground Railroad," which relates the dependency of many Americans on their government to the dependence slaves once had on their masters.

The offended students found the flier and Hinkle's interruption of their meeting disrespectful and called University Police.

In a letter dated Jan. 29, University Judicial Affairs Director Ardith Tregenza notified Hinkle that a student disciplinary hearing would be conducted against him. He was charged with violating subsection (d) of Section 41301 of Title V of the California Code of Regulations which prohibits "obstruction or disruption, on or off campus property, of the campus education process, administrative process, or other campus function."

Hinkle was given the option to waive his right to a hearing and

Employee's death mourned



Cal Poly employees Wayne and Carol Morris embrace at the on-campus memorial service for Cal Poly employee John Eugene Martin, who was killed in a car accident Aug. 10. Eugene had worked for custodial services for 30 years and was planning to retire in October. brian kent/summer mustang

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accept two recommended sanctions. The first recommendation was to write a letter of apology to the offended students. The second sanction would require Hinkle to meet twice with the university ombudsman.

“Conciliation was offered and rejected to my dismay,” said vice president for Student Affairs Cornel N. Morton.

Morton was willing to dismiss the charge brought against Hinkle if he agreed to engage in a dialogue with the accusing students. Morton said Hinkle refused the offer and proceeded with the hearing.

After the Feb. 19 hearing, Hinkle was found guilty.

In a letter dated March 12, W. David Conn, vice provost for Academic Programs and Undergraduate Education, informed Hinkle that he had been found guilty and faced the sanction of a letter of apology as described by Tregenza in her Jan. 29 letter.

Hinkle has not written the letter.

“As for the resolution of the student judicial case, Cal Poly considers the matter closed and will not be pursuing it further,” said Provost and Vice President of Academic Affairs Paul J. Zingg.

On July 8, Hinkle appeared on FOX News’ Hannity and Colmes. “Censorship runs in direct opposition to the very purpose of academic institution like Cal Poly,” he said on the show. “That’s why this is so shocking that they feel that they can trample my First Amendment rights.”

Morton insists that Hinkle’s case is not an issue of free speech and claims that he and the university have been widely misrepresented.

“This campus does not practice censorship of thought or word or impose bans on speech or expression,” Morton said. “Indeed, Cal Poly places among its top priority establishing conditions that foster open inquiry and healthy debate for all.”

While Hinkle’s case has been officially closed, FIRE (Foundation for Individual Rights in Education), has become involved in the situation. FIRE is a nonprofit educational foundation devoted to free speech, individual liberty, religious freedom, the rights of

conscious, legal equity, due process and academic freedom on the nation's campuses, was represented by its CEO Thor Halvorssen in the Hannity and Colmes interview.

"We're simply exposing (Cal Poly)," Halvorssen said.

"Public exposure is the Achilles heel of academic corruption."

FIRE has posted its inquiries to the Cal Poly administration and its responses on their Web site.

"You know, I never judge people on the color of their skin," Hinkle said on Hannity and Colmes. "I don't pretend to, you know, assume things about people because of their complexion. I was never raised that way. So it was shocking for me, you know, to hear this administration tell me that I should have assumed some hostility from these students because they didn't look like me."

Hinkle will return to Cal Poly next quarter to graduate. Despite persistent rumors, he was never subject to suspension or expulsion.

Until then, Morton will continue to dispel the misrepresentations circulating in the media.

"Are we a perfect institution?" Morton asked. "No. These things will be around for a long time."



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