

NEWS

Group targets student funding policy

by Sundeep Malladi

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In a controversial move, University of Wisconsin-Eau Claire Student Senate members passed legislation concerning student-funded activities that have come under fire from the Philadelphia-based Foundation for Individual Rights in Education.

The legislation was a March 7 amendment to UWEC's Organized Activity Funding Policy, which clarifies funding activities for the Student Senate.

According to the new amendment, which was posted on FIRE's website, “[Student activities] shall not endorse a particular ideological, religious or partisan viewpoint.”

However, FIRE argues the policy is a breach of the *Southworth v. Board of Regents* Supreme Court case, which argues all funds distributed by student governing bodies like the Student Senate, must be distributed on a viewpoint-neutral basis. The Southworth case was settled in March 2000 after the UW System came under fire for distributing funds to registered student organizations certain students may not necessarily align themselves with.

“Basically what it boils down to is some students at Wisconsin said the taking of student fees in order to support [student organizations] was a violation of their right of associational freedom,” UW law professor Gerald Thain said.

However, the high court found that as long as universities distributed these funds on a viewpoint-neutral basis, all groups were free to accept a portion of the funding.

FIRE President David French said the amendment is defying First Amendment rights that were settled in 2000.

“The only way the student activity fee structure is constitutional is if fee money is dispensed on a viewpoint-neutral basis,” French said in a release. “If UWEC refuses to comply with its

constitutional obligations, it must scrap the student fee system entirely.”

However, UWEC Director of Communications Michael Rindo said the Student Senate made a good-faith effort to create guidelines that comply with the viewpoint-neutral criteria for distributing funds to student organizations. Rindo added FIRE has made allegations very early since the amendment has not been implemented.

“It’s not going to be implemented until [there is] a full review by UW System Legal and our administration,” Rindo said.

Rindo was not alone in pointing out FIRE’s allegations are premature.

UW System General Counsel Patricia Brady said the UW System will make a decision in the next few weeks.

“I think we have to look at the policy before we make a judgment about whether it violates anybody’s rules,” Brady said.

Those calling FIRE’s allegations premature were not only limited to UW officials, but also students.

Student Senate Vice President De Anna Breault said students are not too heavily divided over the issue, nor does the senate know which groups will be affected since UW System Legal may make revisions to the original proposed amendment.

“I believe it’s premature until we’ve found out what System Legal is going to allow,” Breault said. “There’s definitely some more research and look at the proposed legislation [left to carry out].”

Still, FIRE worried over the possible implications of the amendment.

“In the past few years, FIRE has seen a disturbing trend in which students and administrators seem willing to restrict all expression rather than contented with a single point of view they dislike,” said FIRE’s Director of Legal and Public Advocacy Greg Lukianoff in a release. “As long as students harbor such clear hostility to the marketplace of ideas, free speech is in serious jeopardy.”