

When speech isn't free

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FIRE defines a speech code as any regulation that punishes, forbids, heavily regulates or restricts a substantial amount of protected speech. FIRE said this definition is needed because colleges rarely label restrictions as "speech codes" in handbooks. Instead, they call their codes "harassment" codes or "civility codes," while what they do is prohibit free speech.

At the University of New Hampshire, student Timothy Garneau was evicted from a dorm in 2004 after posting fliers joking that freshman women could lose the "Freshman 15" - a reference to weight - by walking up the dorm stairs. After FIRE wrote to UNH saying "forcing a student out of housing for posting a satirical flier is outrageous and unlawful" and noting that more offensive material is protected by the First Amendment, the penalty was reduced.

At Brandeis University, FIRE is fighting for a professor found guilty of racial harassment because he used the term "wetbacks" in order to explain and critique the term in his Latin American politics class. At Tufts, FIRE is fighting to overturn a finding of harassment against a student paper for printing factual information about Islam in a satirical advertisement.

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