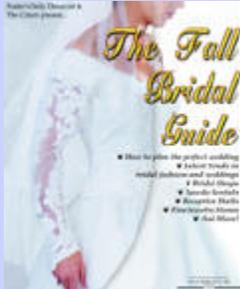


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Tuesday, November 2, 2004

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UNH backs off sanctions in 'Freshman 15' sign incident

By BRUNO MATARAZZO Jr.

Democrat Staff Writer

DURHAM — The University of New Hampshire sophomore who was kicked out of his dorm last week after posting fliers ridiculing women who used the elevator had three violations of harassment and disorderly conduct dropped by the university.

Now the civil liberties organization representing the student is asking the remaining charge and sanctions be dropped and "allow him to return his life to some semblance of normality."

The university lifted three out of the four violations last week, allowing the student, Timothy Garneau, 20, of Berlin, to move back in the dorms but not necessarily to his old room.

But Garneau is not moving back in just yet since he is still appealing the new punishment by the university.

Garneau had all but one violation — dishonesty — removed. New sanctions attached to the violation include disciplinary probation through May 30, 2006; an ethics meeting with Judicial Affairs by Nov. 15 and relocation to another dorm if space is available.

"Now they want me to relocate me on the basis of lying, it makes no sense," Garneau said Monday.

Garneau has been staying with friends and sleeping in his car since early last week after posting the fliers at his dorm, Stoke Hall, joking that freshmen women could lose the "Freshmen 15" by taking the stairs instead of using the elevator.

"Freshmen 15" is a common perception that freshmen college students gain 15 pounds in their first year.

Two hours after Garneau posted the fliers on Sept. 3, a resident assistant at Stoke Hall removed them all.

Then, Brad Williams, the dorm's resident director, approached Garneau and accused him of hanging the fliers. Garneau initially denied it, but later recanted and was charged with acts of dishonesty, violating affirmative action policies, harassment and disorderly conduct.

He was then evicted after his appeal was denied last week.

Now, the university said Garneau cannot move into the dorm until after the appeal of the dishonesty violation is heard.

Garneau wants to return to his old dorm room on the seventh floor of Stoke Hall but

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that is uncertain.

Williams, the resident director, said during the hearing that if Garneau was allowed to return to his room, it would be a travesty and a controversy, according to Garneau, who was at the meeting.

Garneau disagrees. He believes relocating a student for "a white lie" could have the potential to affect a majority of students living on campus.

Garneau already wrote his appeal and acknowledges he lied but came forward minutes later.

"I could have gone on lying and gotten away with it. The fact is, I did come forward and admit I lied to Brad," he said.

The foundation and Garneau both object to an ethics meeting with Jason Whitney, judicial officer at the university.

"First, after unfairly and unlawfully evicting a student from his dorm for clearly protected expression, UNH lacks the credibility to lecture anyone about ethics," wrote Greg Lukianoff, director of legal and public advocacy with the Foundation for Individual Rights in Education, to UNH President Ann Weaver Hart on Monday.

Garneau feels being lectured on ethics by Whitney is absurd since he stated during the hearings that the initial charges he received were less than what he deemed appropriate.

The foundation is also asking that action be taken against the resident director.

Garneau initially lied about the fliers out of fear of public embarrassment by Williams and his actions proved this fear reasonable, the foundation wrote.

Since being charged after the Sept. 3 incident, Williams has never made contact with Garneau during the hearing process.

"I know it's his job and he is put in the building to regulate society and he takes care of the people who live in the building, but as a person he can be civil and he can talk to someone like a human being," Garneau said. "Not looking someone in the eye after getting them evicted is disrespectful."

A week since going public with his ouster from the dorms, Garneau is surprised from the attention he received.

In addition to talking to media across the state, he will also be the subject of a documentary by the cable television channel Showtime about political correctness on college campuses.

The university declined to comment, citing federal student privacy laws.

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