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University to student: Take down website! Dispute erupts over criticism of UCLA

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By Bob Unruh
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The University of California at Los Angeles has ordered a former student to take down a website that criticizes the school, raising objections from a rights organization.

The dispute arose when the former student, Tom Wilde, posted his criticisms at a noncommercial website located at ucla-weeding101.info, according to the Foundation for Individual Rights in Education, which has taken up the case.

Phil Hampton, a spokesman for the university, told WND that officials were concerned the website's address would cause people to think the site "was a communication from UCLA."

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Wilde launched the site last month to argue he was "weeded out" of the UCLA's Graduate School of Education because of his dissenting views, FIRE reported.

Senior Campus Counsel Patricia M. Jasper wrote to Wilde Aug. 6 telling him the [website address](#) was "trademark infringement and dilution."

The school alleged the "[commercial](#) use of any of the names of the University of California" is "a criminal offense under California Education Code, section 92000."

UCLA also argued it was acting to protect its "reputation," Fire reported. On the website, Wilde documents how he was dismissed from a [course](#) of studies for apparently low grades. Yet he points out that his own advisers at the school confirmed that some of his grades had been mistakenly recorded as failing.

Wilde contacted FIRE, which wrote UCLA Chancellor Gene D. Block pointing out that "no reasonable person would mistake Wilde's site as being an official UCLA site or having the college's endorsement, and that the First Amendment protects the use of organization names on 'cybergripping' sites."

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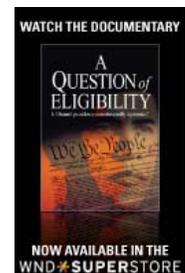
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Further, Wilde added a prominent disclaimer saying the site is not part of UCLA, a move Hampton described as helping the situation.

The response from the school, according to FIRE, was that the letter was under review and a "fuller response" would be forthcoming.

"There is very little for UCLA to review in this matter," said Adam Kissell, the director of FIRE's Individual Rights Defense Program. "The university's only choice is to immediately retract its unconstitutional threats against Wilde's protected speech. Until then, Wilde remains in limbo and under the threat of unlawful action."

FIRE's president, Greg Lukianoff, commented that California "has seen a disturbing trend of public colleges and universities attempting to censor or chill private speech online."

"[California's schools](#) violate the First Amendment when they threaten legal action against 'cybergripping' sites that couldn't possibly be mistaken as having the college's endorsement," he said.

FIRE said it intervened in a similar speech-freedom case in California at Santa Rosa Junior College, which banned the use of the initials "srjc" in e-mail addresses and website domain names.

FIRE protested to SRJC President Robert Agrella, arguing the California Education Code was being misapplied because while it legitimately bans certain uses of college names, the blanket ban was too broad and, therefore, unconstitutional.

When the school failed to respond adequately, FIRE said, it asked Jack Scott, chancellor of California Community Colleges, to lift the ban.

Agrella later declared his school "has no interest in limiting speech that is 'unambiguously private,'" but [students](#) have yet to be told the ban has been lifted, FIRE reported.

"We commend President Agrella for taking this step, but his [work](#) is not yet done," Kissell said. "SRJC urged faculty and staff to alert students to the ban, and students now also must be informed that their 'unambiguously private,' non-commercial online expression is safe from prosecution. FIRE will be closely monitoring the state of free speech at SRJC."

FIRE reported in 2005 it fought off an effort by the University of California at Santa Barbara to shut down a critical website for the same reasons.

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[Bob Unruh](#) is a news editor for [WorldNetDaily.com](#).



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