



Office of the General Counsel
Bucknell University

Phone: 570-577-1149
FAX: 570-577-7583



June 11, 2009

Mr. Adam Kissel
Director, Individual Higher Education Programs
Foundation for Individual Rights and Education
601 Walnut Street, Suite 510
Philadelphia, PA 19106

Re: Bucknell University
Your letter of May 21, 2009

Dear Mr. Kissel:

We received your letter dated May 21, 2009. Although we understand the fervor with which your organization polices suspected violations of constitutional protections, believe it is misplaced in the instances you cite. Neither instance is a matter of free speech. To the contrary, they are matters of campus safety and performance. To the performance of the University, it is self-evident that Bucknell University

In the first instance – distribution of leaflets at the cafeteria for students – all organizations are required to register and be approved for use of that campus space. Registration prevents cross-scheduling; ensures management of traffic flow in a highly trafficked area; prepares to manage any possible reactions to these events that might require preparation, including for the safety of those involved; and ensures that the space is used in a manner consistent with the previous uses of the space.

The second instance – disparate racial pricing for doughnut sales – was prohibited because we do not permit facially discriminatory practices. If students wish to engage their students in related discussions, there are opportunities for doing so that do not require us to sanction unspanned our students, in any state or district. We have communicated to AIGC on several occasions and in instances that discuss these issues several university venues.

Please note that we do not agree with your recitation of the facts and this response, such, but rather than debate specifics we hope this response will clarify our position sufficiently.

Sincerely,

Wayne A. ...
General Counsel