

March 8, 2005

President Salme Steinberg
Northeastern Illinois University
5500 N. St. Louis Avenue
B-159
Chicago, Illinois 60625

URGENT

Sent by U.S. Mail and Facsimile (773-442-5070)

Dear President Steinberg:

As you can see from our Directors and Board of Advisors, the Foundation for Individual Rights in Education (FIRE) unites leaders in the fields of civil rights and civil liberties, scholars, journalists, and public intellectuals across the political and ideological spectrum on behalf of liberty, legal equality, freedom of religion, academic freedom, due process, and, in this case, freedom of speech and expression on America's college campuses. Our website, www.thefire.org, will give you a greater sense of our identity and activities.

FIRE is profoundly concerned by the Northeastern Illinois University (NEIU) administration's threat to punish the NEIU College Republicans if they hold an "affirmative action bake sale" on campus. "Affirmative action bake sales" constitute a form of satirical political protest, and therefore enjoy the fullest protection of the First Amendment of the U.S. Constitution. Respect for the dignity and individuality of each member of NEIU's student body demands the most profound respect for your students' freedom of expression—even when some in the community might be offended by that expression. As you know full well, if everyone banned what he or she took offense to we all would be reduced to silence.

This is our understanding of the facts, taken from reports from the NEIU College Republicans and an e-mail from Dean of Students Michael Kelly to John Tait, president of the NEIU College Republicans. The NEIU College Republicans had been planning to hold an affirmative action bake sale protest on February 25, 2005. These bake sales have become a widely used form of political parody directed against affirmative action. In previous protests, organizers have prominently displayed a menu with satiric prices in which black, Hispanic, and/or female students are charged less than Asian, white, and/or male students for the

same items. The bake sales are intended to spark debate about affirmative action policies, not to raise revenue, and aim to satirize university policies that opponents of affirmative action believe accord some groups more favorable treatment than others.

After word of the planned protest spread, Dean Kelly e-mailed Mr. Tait on February 18, 2005, warning the College Republicans that they would be punished if they went through with the protest. Dean Kelly's e-mail cited NEIU's nondiscrimination policy, which reads:

Northeastern Illinois University subscribes to the principles of equal opportunity and affirmative action and does not discriminate against any individual on the basis of age, color, disability, gender, national origin, race, religion, sexual orientation, or veteran status.

He also wrote that since "[t]his policy is applicable to all members of the NEIU Community, including students and student clubs," he "strongly urge[d] the College Republicans to either

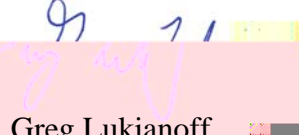
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incapable of teaching students to live in freedom. By threatening the members of the College

to show the courage necessary to admit its error, renounce its unjust policy, and tell the world that free speech is to be celebrated, honored, and broadened—not feared, suppressed, and restricted. Let your students exercise their basic legal, moral, and human rights; let them protest as their consciences dictate. Because of the importance of this matter and the rights of NEIU students that are at stake, FIRE requests a response by March 17, 2005.

We trust you will make the right decision.

Sincerely,



Greg Lukianoff

Director of Legal and Public Advocacy

cc:

Lawrence P. Frank, Provost and Vice President for Academic Affairs, Northeastern Illinois University

Melvin C. Terrell, Vice President for Student Affairs, Northeastern Illinois University

Michael T. Kelly, Dean of Students, Northeastern Illinois University

Kendra Young, President, Northeastern Illinois University Student Government Association

John Tait, President, Northeastern Illinois University College Republicans