

Florida College Accused of First Amendment Violation

Are our public colleges and universities a marketplace of ideas or a prison of censorship? ADF Senior Legal Counsel Casey Mattox is fighting to make sure educational facilities conform to the First Amendment and remain campuses of free thought.

Mattox's latest case represents Young Americans for Freedom. Palm Beach State College banned two members of the group from distributing leaflets and talking with people on campus about their cause. The all-out literature distribution ban hindered the group from administering its "Get out the Vote" campaign before last November's midterm elections.

In a small victory, Palm Beach State College has agreed to let Young Americans for Freedom distribute its Heritage Foundation literature several days a month while the lawsuit progresses. The college also agreed to revise its policies, including its restrictions on off-campus meetings of student groups, to ensure they comply with the First Amendment.

"Palm Beach State did the right thing in agreeing to suspend this outright ban on free speech while it is being challenged in court," Mattox says. "From its outright ban on student speech to its regulation of student group meetings even when off campus Palm Beach State's policies are among the most offensive to the First Amendment. This is the first step toward permanently removing these burdensome restrictions on First Amendment-protected liberties."

Palm Beach State College officials had cited the school's speech policies as their reason for denying Young Americans for Freedom members from distributing the literature at a student organization fair. However, the students were also

prohibited from handing out information within the “free speech zones” on several of the college’s campuses.

According to ADF, Palm Beach State College policies also deny constitutionally protected rights by requiring advance permission even for off-campus events held on weekends or past 9 p.m. on weekdays. Permission from the student services dean had to be requested two weeks prior to such events.

Are college campuses going too far to restrict freedom of speech? Or do they have a right to oversee what happens on campus?