

Dear Friends, Activists, Members of the UCONN Community, and Connecticut taxpayers:

On Friday, March 30, 2007, the *Daily Campus* newspaper produced and distributed 10,000 copies of an “April Fool’s Day” edition. The front page headline reads “Whores, Sluts Everywhere” followed by a picture of a woman’s cleavage and her legs spread apart. In addition to an endless amount of misogynistic material, the article following the picture discusses having a prostitution service on campus. The *Daily Campus* often contains sexist, racist, and heterosexist material ranging from portraying women as sluts who should cook and clean to blatantly laughing at rape. Even worse, the *Daily Campus* staff hides behind, or rather abuses, one of our most important *privileges*—freedom of speech. This is a gross distortion of the First Amendment of the Constitution. In doing nothing, the administration contributes to and supports the “intimidating, hostile and offensive” environment created by this material. Furthermore, because the paper presents sexist material as “spoof,” “satire,” and “humor,” it effectively desensitizes students to the harm of such material and normalizes sexist behavior. This constitutes a form of sexual harassment, which is illegal and violates Title VII of the Civil Rights Act of 1964, 42 US Code Section 2000e et seq., as amended, as well as Connecticut General Statutes § 46a-60(8). It also violates the University of Connecticut Sexual Harassment Policy. The Connecticut Human Rights and Opportunities Office agree with this claim.

The University of Connecticut administration must ensure that students and employees can live, study, and work in a safe and healthy environment without feeling degraded or intimidated. This includes those who stand up against sexism and demand that the *Daily Campus* be held accountable, who are frequently targeted, harassed, and publicly humiliated by their fellow students and on Internet networks like *Facebook*. This should not be tolerated, dismissed, or protected under the rubric of “free speech.” the *Daily Campus*, as our community’s primary media outlet constantly makes editing decisions that compromise the safety of the students and our community.

I reject the assertion that students’ “choice” to read or not read the paper is guaranteed and absolute. It can hardly be expected that students avoid a newspaper that serves as their main source of information. And why should they have to avoid it? Students should be able to read *their* campus newspaper, even if just for pure entertainment, one that they help pay for, without being bombarded with offensive and degrading content. Many rely on the campus newspaper to stay informed on local and world news, campus issues, and events. Our campus community is saturated with 10,000 copies every day. In fact, it is near impossible to avoid the *Daily Campus*. Thousands of copies are placed in vestibules and make their way on to shuttle bus seats, on the floors and chairs in student lounges, and copies are brought in to classrooms. On the other hand, it is difficult to find the university’s sexual harassment policy, which according to State of Connecticut regulations must be posted in visible areas so that students and employees know their rights and the university’s responsibilities to them.

In light of recent publications through campus media outlets, members of the University of Connecticut community and UNARM (University Network Advocating for Responsible Media) have joined together to demand that all of the university funded and sponsored communication outlets (the *Daily Campus* in particular) publish by a strict code of ethics that maintains a diverse, safe learning environment. We also appreciate and call upon the protections mandated by the University of Connecticut’s policy on sexual harassment. Please join us by signing a petition or letter. Let the university administration know that this conduct will not be tolerated, that it is unbecoming of a highly regarded state university, and that you do not want your fees and tax dollars used to support a news publication that is harmful and without integrity.

To: John Saddlemire, Ed.D., Vice President for Student Affairs; the Undergraduate Student Government; and the Daily Campus

We, the members of the University of Connecticut community and Connecticut taxpayers, demand that all of the university funded and sponsored communication outlets (the Daily Campus in particular) publish by a strict code of ethics that maintains a diverse, safe learning environment. In light of recent publications through campus media outlets, we appreciate and call upon the protections mandated by the University of Connecticut's policy on sexual harassment, to wit:

"The University deplores behavior that denigrates others. All members of the University community are responsible for the maintenance of a social environment in which people are free to work and learn without fear of discrimination and abuse. The failure of managers at any level to remedy harassment violates this policy as seriously as that of the original discriminatory act.

Sexual harassment is defined as any unsolicited and unwanted sexual advance, or any other conduct of a sexual nature whereby (a) submission to these actions is made either explicitly or implicitly a term or condition of an individual's employment, performance appraisal, or evaluation of academic performance; or (b) **these actions have the effect of interfering with an individual's performance or creating an intimidating, hostile, or offensive environment.**

Examples of sexual harassment in the work place may include all activities that attempt to extort sexual favors, inappropriate touching, **suggestive comments, and public display of pornographic or suggestive calendars, posters, or signs.** All forms of sexual harassment and discrimination are considered serious offenses by the University."

We value and cherish the Freedom of Speech as protected in the First Amendment of the Constitution, but current editing decisions compromise the safety of the students and/or the community. Mocking social epidemics, including but not limited to, racism, sexism, sexual assault, homophobia, and differently abledness, only perpetuate violence and inequality.

-UNARM (University Network Advocating for Responsible Media)

Sincerely,

The Undersigned:

To: Chief Complaint Officer; University of Connecticut Ethics Committee

The Daily Campus, our university student funded newspaper, often contains sexist, racist, and heterosexist material. This ranges from portraying women as sluts who should cook and clean to blatantly laughing at rape. On Friday, March 30, the *Daily Campus* printed an “April Fool’s” paper. The front page headline reads “Whores, Sluts Everywhere” followed by a picture of a woman’s cleavage and her legs spread apart. In addition to an endless amount of misogynistic material, the article following the picture discusses having a prostitution service on campus. Most of the students on this campus do not make the connection that this sort of material is harmful and promotes sexism and violence, but as a scholar and activist on the subject, I can tell you it certainly is and does.

I do not want my student fees or tax dollars used to fund a newspaper that continually compromises the safety and well-being of students and the community.

I am troubled by the fact that faculty members from the Department of Communications condone such irresponsible behavior and protect it by calling it “free speech.” This is an outrageous abuse and distortion of the First Amendment. Our Constitution also provides protection from discrimination and harm. In this case, members of this community are indeed being harmed.

I am also concerned about the use of university logos and name on t-shirts such as the ones found here: www.wanted-wear.com, as well as the (mis)use of *Tony the Tiger* logo, protected by copyright, found in the “April Fool’s Day” edition of the DC, Friday, March 30th. Is this not a violation of copyright law? The Co-Op sells calendars and posters that I am told are produced as “fund raisers” for campus sororities and fraternities. While I respect free speech and free enterprise, I am concerned about the kind of environment and campus culture this material promotes because it jeopardizes the safety of community members and perpetuates harmful, sexist, and degrading views of women. I would also like to draw your attention to the lower right corner of this website, “Rape Trail Survivor” t-shirt. I think UCONN women deserve better than this, and I would hope that the UCONN administration would seriously question the conduct of campus organizations and faculty members and would do everything necessary to ensure that policy, law, and regulations are followed, and that every campus organization follows a strict code of ethics. In my view, UCONN students and faculty responsible for the production of this material have little respect or regard for this community and are irresponsible social citizens.

Is this really the kind of image and behavior UCONN wants to endorse? Is it not unethical to use Connecticut tax payer’s money to fund such material?

I hope your office will consider auditing the responsible departments and parties involved to ensure compliance with the ethical standards and policies established by the University.

The First Amendment and Sexual Harassment

Introduction: Not all speech is protected under the First Amendment, and while some suggest that sexual harassment law threatens the constitutional rights guaranteed by the First Amendment, the fact is that sexual harassment law applies to speech in both the workplace and in educational settings (See the US Department of Education web site (<http://www.ed.gov/about/offices/list/ocr/qa-sexharass.html>):

Hostile environment harassment occurs when unwelcome conduct of a sexual nature is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an education program or activity, or creates an intimidating, threatening or abusive educational environment. A hostile environment can be created by a school employee, another student, or even someone visiting the school, such as a student or employee from another school.

Regardless of which type of harassment occurs, **a school must take immediate and appropriate steps to stop it and prevent it from happening again.** The judgment and common sense of teachers and administrators are important elements of any response. However, **the school is responsible for taking all reasonable steps to ensure a safe learning environment.**

From FAQs: Office for Civil Rights (on sexual harassment in educational institutions):

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Formal Definition, Cases, and Rulings:

(<http://www.law.ucla.edu/volokh/harass/breadth.htm>)

A. The Formal Definition of “Harassment”

The first place to look in determining the scope of harassment law, of course, is the legal definition of “harassment.” Speech can be punished as workplace harassment if it’s

- “severe or pervasive” enough to
- create a “hostile or abusive work environment”
- based on race, religion, sex, national origin, age, disability (including obesity), military membership or veteran status, or, in some jurisdictions, sexual orientation, marital status, transsexualism or cross-dressing, political affiliation, criminal record, prior psychiatric treatment, occupation, citizenship

status, personal appearance, “matriculation,” tobacco use outside work, Appalachian origin, receipt of public assistance, or dishonorable discharge from the military

- for the plaintiff and for a reasonable person.

Note what the definition does not require. It does not require that the speech consist of obscenity or fighting words or threats or other constitutionally unprotected statements. It does not require that the speech be profanity or pornography, which some have considered “low value.” **Under the definition, it is eminently possible for political, religious, or social commentary, or "legitimate" art, to be punished.**

- The Montana Human Rights Commission has found a hostile environment based *solely* on off-color jokes and cartoons displayed in the workplace. None of the jokes were said specifically to the complainant; none referred to her; the cartoons were distributed by men and women alike, apparently once or twice a month over several years; the cartoons weren't even sexist or misogynistic. The Commission, however, was not amused. It concluded that the jokes “ha[d] no humorous value to a reasonable person,” and “offended [complainant] as a woman.” The Commission ordered the city to pay damages, to “not . . . permit, tolerate, or condone the sexual harassment of any employee” (apparently including such humor), and to “evaluate on an annual basis the performance of each department head on the basis of the quality and success of their efforts to implement and enforce the antidiscrimination policies.”
- Another court has found a hostile environment based largely (though not entirely) on “caricatures of naked men and women, animals with human genitalia...a cartoon entitled ‘Highway Signs You Should Know’ [that showed] twelve drawings of sexually graphic ‘road signs’ (entitled, for example, ‘merge,’ ‘road open,’ etc.),” and so on. Though “[m]any of the sexual cartoons and jokes . . . depicted both men and women,” the court concluded that “widespread verbal and visual sexual humor—particularly vulgar and degrading jokes and cartoons...may tend to demean women.” The court ultimately held that “every incident reported by [plaintiff]”—the jokes as well as the other conduct—“involves sexual harassment.”
- Similarly, the EEOC recently concluded that an employee’s allegation that she was “sexually harassed by offensive jokes-of-the-day circulated to her and her co-workers, and by the Supervisor’s praise [in a department meeting] of the co-worker circulating the jokes” was sufficient to state a claim under Title VII; the jokes were neither at the offending employee’s expense nor were they even generally sexist or misogynist. The New Jersey Office of Administrative Law likewise found *one* incident of 11 pages worth of jokes being forwarded by e-mail to the whole department to be “sexual harassment” creating an “offensive work environment”; the judge “found the ‘jokes’ degrade, shame, humiliate, defame and dishonor men and women based upon their gender, sexual preference, religion, skin pigmentation and national and ethnic origin” and were thus illegal.
- An official U.S. Department of Labor pamphlet likewise defines harassment as including cases where “[s]omeone made sexual jokes or said sexual things that you didn't like,” with no requirement that the jokes be insulting or even misogynistic. A Seattle Human Rights Department pamphlet gives “the secretary who was frequently told sexual jokes by her co-workers and supervisor” as an example of sexual harassment. A Hanson, Massachusetts harassment policy for city employees defines sexual harassment as “any unwelcome action, sexual in content or implication, in the workplace that includes...sex oriented ‘kidding’ or ‘jokes’ [and] sexually suggestive objects in the workplace.”
- Employment experts have gotten the message, and are passing it along to employers. Thus, they recommend, to avoid liability employers should purge workplaces of “blonde jokes” (on the plausible theory that they convey offensive attitudes towards women), discussions of scenes from sex comedies such as “There's Something About Mary”—“It’s exactly the sort of thing that could create a problem for somebody,” says Carla Hatcher, a Dallas attorney who handles office sexual harassment cases”—and Clinton-Lewinsky jokes.