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VSU student battles expulsion

His protest of a new parking garage was deemed a 'danger'

By CAROLE HAWKINS, Times-Union Correspondent

All he was saying was give public transportation a chance.

At least that's the explanation of student activist Hayden Barnes, who was expelled from Valdosta State University for protesting the construction of a new campus parking garage. Barnes had wanted university officials to consider more environmentally friendly ways of getting students to school.

On May 7, Valdosta State President Ronald Zaccari expelled Barnes in response to a collage he had posted on a personal Web page satirizing the school's two planned parking decks.

In a letter to Barnes, Zaccari said the expulsion was a result of recent activities "directed towards me by you."

As a result of the collage, which Zaccari attached to the letter, "you are considered to present a clear and present danger to this campus," Zaccari wrote.

A free-speech advocacy group disagreed and says the expulsion violated Barnes' right to express a political opinion.

"At the heart of free speech is the right to protest and demonstrate against something you think is wrong," said Samantha Harris, spokeswoman for the Foundation for Individual Rights in Education. "This particular case is such an overreaction. Hayden didn't do anything whatsoever that rose to the level of a threat."

Barnes declined comment on his expulsion.

Threessea Boyd, communications assistant to Zaccari, said that because the case is a pending legal matter, Valdosta State could not comment on the expulsion.

Barnes may be readmitted if a psychiatrist determines he is not a danger to himself and others and if he agrees to undergo continuing therapy, Zaccari wrote.

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On March 22, a student newspaper announced Valdosta State's plans to build two new parking decks using \$30 million in student fee money.

In a letter appealing his expulsion, Barnes said he had opposed the construction on the basis of its environmental impact. He posted flyers, contacted university officials, wrote a letter to the editor of the school newspaper and sent another letter to Zaccari asking to be exempted from the student assessment fee that paid for the parking decks.

Barnes also created a collage in protest and posted an image of it on his personal Facebook.com page. Facebook is an online social network popular among college students.

The collage's eclectic group of images included a photo of Zaccari, a parking deck, a bulldozer excavating trees, a flattened

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globe marked by a tire tread, a gas mask and an asthma inhaler. It was captioned, "No Blood for Oil," "More Smog" and "Bus system that might have been." There is also a reference to the "Zaccari Memorial Parking Garage."

On an unrelated page, Barnes also posted a link that connected to an article on the Virginia Tech massacre, the foundation said. The Virginia Tech shooting was a common topic among students last spring and was unrelated to Barnes' parking garage protest, Harris said.

In his letter, Barnes stated he was unaware memorials are erected for people after they are dead and that he meant only to make fun of Zaccari for an earlier statement in which the president said he hoped the new garage could be part of his legacy to the university.

Harris said it is understandable for people to be concerned with safety in the wake of campus shootings, but the legal definition of a threat needs to be applied to avoid jumping to unfair conclusions.

"The constitutional definition of a threat is when the speaker means to communicate a serious expression of the intent to commit an unlawful act of violence," she said.

"People need to remember the rights that are at stake. Once you get away from the legal standard about what specifically is a threat, anyone can interpret anything as a threat," she said. "You run into a risk of censorship."

On Nov. 26, an administrative law judge will review Barnes' appeal of his expulsion.

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