

T. Hayden Barnes

Board of Regents of the University System of Georgia
270 Washington Street, SW
Atlanta, GA 30334

This my written appeal, for the consideration of the Board of Regents, of my administrative withdrawal from Valdosta State University, which I received notice of May 7th, 2007. Due to the unprecedented and unparalleled nature of this case, I hope for speedy redress, so as not to materially interfere with my Constitutional right to due process, which were so egregiously ignored at the University level, among other rights. I hope to have my case expedited and heard at the June Board of Regents meeting. If after reviewing these documents, you feel you cannot expedite my case, then please contact me ASAP.

The following documents are enclosed. All documents are in chronological order, with the exception of my letter of appeal and a letter of support from my mother, which appear first. *And VSU/BOR policy documents which appear last.*
Additional documentation may be included not listed below, appended just prior to submission. Please make a note that the following list may not be complete and review all documents contained herein

My letter of appeal

My mother's letter of support

Documentation from Dr. Kevin Winders of Psychiatric Consultants, P.C.

Documentation from Mrs. Leah McMillan, L.M.F.T. of Valdosta State University Counseling Center

Copies of Valdosta State University Policies related to my case

Copies of Board of Regents Policies related to my case

VSU Spectator Article (April 19, 2007)

Copy of letter I wrote to University President Ronald Zaccari

Copy of notice of administrative withdrawal (May 7, 2007)

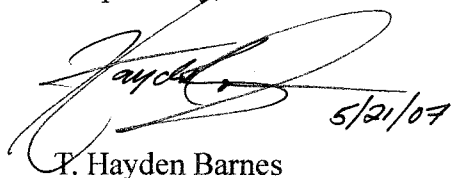
Copy of 'cartoon' attached to administrative withdrawal

Copy of memo dispatched from the Office of the President to Valdosta State University department heads (May 9, 2007)

Copy of memo sent to me after I "failed" to vacate my dorm after "given" 48 hours to do so, but not notified (May 11, 2007)

and was locked out of my room

Respectfully,



5/21/07

T. Hayden Barnes

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Board of Regents of the University
System of Georgia
270 Washington St., S.W
Atlanta, GA 30334

Re: Administrative Withdrawal Appeal

Dear Members of the Board of Regents:

I am writing to appeal the decision of President Ronald Zaccari of Valdosta State University as outlined in the attached letter dated May 7, 2007 and in accordance with the procedures for appeal outlined in said letter.

This letter is in reaction to the following actions, listed chronologically:

- March 22, 2007: An article runs in the VSU Spectator on new construction on campus and discusses parking garages as the solution for increased car traffic on VSU campus (article enclosed).
- March 23 - 25, 2007: I posted flyers on VSU campus listing concerns for the possible environmental damage that construction of a parking garage may cause and suggested environmentally friendly alternatives, giving contact information for the President's office and the Board of Regents, urging students to call and ask for alternatives. I also composed a letter outlining my concerns and suggesting environmentally friendly alternatives as well as constructive alternate uses for the \$30 million which would be spent which I sent by e-mail to President Zaccari, members of the Student Government Association, members of the Faculty Environmental Committee and via the publicly accessed e-mail web-form at <http://www.usg.edu/contact/> to the Board of Regents. I received positive responses from students and faculty members and posted them on my personal blog;
- March 26, 2007 : I was contacted by Seth Gunning and Mandy Hancock of S.A.V.E. (Students Against Violating the Environment) organization who stated that President Zaccari was upset about the flyers and specifically mentioned my name. I immediately pulled the flyers and the blog, including the faculty and student responses. I issued a written apology to President Zaccari for offending him or making him angry. I received no response from President Zaccari.
- April 2, 2007: I sent a letter to the University Alumni Association (copied to President Zaccari's office) requesting to opt-out of University sponsored credit card offers. I explained that I feared that credit card offers prey upon college students who are poorly educated and inexperienced on responsible credit card use and are graduating every year with record breaking debt. I felt that it was irresponsible of the

University Alumni Association to be encouraging credit card use by students still in college.

- April 9, 2007: I telephoned the VSU Project Manager Mr. Michael Miller in the Office of the Vice Chancellor Linda Daniels, and asked about the progress of the parking garages. He informed me that a vote on the parking garages was taking place the next day (April 10, 2007) in Statesboro, GA. I contacted my Board of Regents representative, Mr. James Bishop and did not make contact. I contacted Mr. Allan Vigil, Chair of the Board of Regents, and Mr. Richard L. Tucker, chair of the Board of Regents' real estate committee. I thoughtfully and respectfully explained who I was, that I represented only myself, and my position on the project. After I laid out my case, most members had no questions, just thanked me and I thanked them, and ended the conversation. The Members encouraged me to try to meet with President Zaccari.
- Same day: Heeding the Regents' advice, I contacted President Zaccari's office to schedule an appointment and was placed on hold, subsequently told to come to his office at 5:00 p.m. I arrived at President Zaccari's office with a friend, but was told that my friend could not accompany me to the meeting and must wait in the lobby.
- I met with President Zaccari and Dean of Students, Mr. Russ Mast. During this conversation, I outlined my concerns for the construction and possible viable alternatives. President Zaccari heard my concerns, agreeing with some and disagreeing with most. He also told me that I had personally embarrassed him, to which I apologized. He stated, "...that he thought that I had 'gone away' after I had sent my earlier written apology." He asked, "Who did I think I was?", adding that I had made life hard for him, for which he "could not forgive me". He stated, "...that he wanted to act as a mentor to me" and that "I raised his fatherly instincts". He expressed concerns about what his legacy at VSU would be and expressed that VSU was a business for which it must generate an income for auxiliary services. During this meeting, I was quiet, apologetic, and respectful, though I did express my concerns for the environmental impact of constructing the parking garages.
- April 13, 2007: Out of frustration and as a political/ideological statement, I posted a collage of pictures and symbols on my face book page (access of which is limited to personal friends, as I understood it). The symbols/pictures on the collage are "cut and pasted images" from other publications and are as follows (copy attached):
 - A picture of President Zaccari positioned on a parking garage with the title "S.A.V.E. - President Zaccari Memorial Parking Garage" depicting President Zaccari's concern for his legacy as he expressed in our meeting as well as S.A.V.E.'s reluctance to support the opposition of the parking garages due to their fear of retribution from President Zaccari (as expressed by the officers of the organization).
 - A bulldozer excavating trees depicting the immediate impact that the construction of a parking garage would have on the environment.
 - A flattened globe with a tire tread imprint depicting the crushing of the health of our planet by the dependence on automobiles, construction of roads, etc.

- A scene of smog caused by automobile exhaust, with the caption "More smog."
 - A picture of a gas mask and prescription inhaler, items necessitated by an abundance of automobile exhaust.
 - A picture of a city bus with the universal sign for "not allowed" (red circle with a diagonal line through it) with the caption, "Bus system that might have been", expressing Dr. Zaccari's opposition to my suggestion that the student transportation system be expanded to currently available off-campus parking rather than constructing an additional parking garage.
 - A motto "No Blood for Oil" signifying how our dependence on foreign oil has, in part, led to America's difficulties in the Middle East.
 - A picture of currency, depicting President Zaccari's concern that auxiliary services generate revenue.
 - A miniature photocopy of President Zaccari's Climate Change Statement which S.A.V.E. has been lobbying for President Zaccari to ratify as part of the American College & University Presidents' Climate Commitment (<http://www.presidentsclimatecommitment.org>).
- April 19, 2007: VSU Spectator prints my opinion piece (original letter of concern about environmental impact of constructing parking garages). (Copy attached.)
 - April 26, 2007: I wrote a letter to President Zaccari, requesting exemption from the mandatory student fee (included in summer tuition) for the parking garage (slated to be an additional \$50 in Fall of 2007 and Spring of 2008). I offered to give the \$100 to any of VSU's environmental impact efforts including S.A.V.E., recycling program, etc. (Copy attached)
 - May 3 - 5, 2007: I removed the political cartoon from my Facebook page.
 - May 7, 2007: I received a copy of the withdrawal notice under my door in the dormitory. (Copy attached.)

In his letter, Dr. Zaccari noted that because of "recent activities directed towards me by you, including but not limited to the attached threatening document, you are considered to present a clear and present danger to this campus. Therefore, pursuant to Board of Regents' policy 1902, you are hereby notified that you have been administratively withdrawn from Valdosta State University effective May 7, 2007."

My response to this is that at no time have I been personally threatening to Dr. Zaccari. I have not threatened him verbally or in writing and have not expressed to anyone else, at any time, a desire to harm him or any one else in any way. I am not physically imposing, I have no history of disciplinary infractions, I have no history of criminal infractions and have never threatened or physically harmed any one, at Valdosta State University or anywhere else. I do not own a weapon, have never owned a weapon and have no intention to do so.

I have been politically active since I was a teenager. I take very seriously my right to vote, my right to representation and my right to express my views and concerns. I write my congressional representatives a minimum of once monthly and also write the President of the United States, regularly receiving written responses from these elected officials. I subscribe to several political and government news magazines and I also write regularly to the editor of my hometown newspaper. I was thrilled the day that I heard my letter to the editor read on air on "Talk of the Nation" of the National Public Radio.

I was taught that one person could make a difference. Many voices can make things change.

I have publicly and peaceably demonstrated with members of the Catholic Diocese of Savannah on such issues as capital punishment and the training activities of the School of the Americas. As a teenager, I interned and completed community service with Sr. Jackie Griffith, Director of Peace and Justice Issues for the Diocese of Savannah.

At no time, have I ever intentionally or unintentionally threatened or harmed any person to whom I wrote or verbally expressed my views about politics or social issues.

Like most activists, my passion for my cause can make me persistent and maybe even obnoxious. My mentors and my parents have worked with me as I have matured to express myself less abrasively to keep the focus on the issue and not the person. While some people are offended by my views because they disagree with them, they have never expressed a sense of harm, threat or endangerment and I am distressed that this is how Dr. Zaccari feels. Generally, I look to others to provide social cues for me, at times, and in this case, I received positive feedback from faculty members and students, affirming my concern for the construction of parking garages. I thought that a publicly accessed web-form on the Board of Regents website invited responses and concerns from the public and I went a step further to personally express my views via telephone (again, the names and contact information for each Regent is on the website which I construed as inviting contact). I took the Regents whom I contacted by telephone at their word when they suggested that I express my views to President Zaccari.

I was genuinely unaware that my actions were perceived as a physical threat to President Zaccari and he did not express this to me at any time during our conversation or otherwise. Neither did I understand that being public about my political views constituted a disruption to the business of the University or a disciplinary infraction, certainly not sufficiently to serve as cause for my administrative expulsion from the school. I did not publicly demonstrate, assemble others, nor interfere with instruction or any other school-related activity over this issue.

The political collage that I created was my own artistic, though certainly rudimentary, expression of my personal political views and frustration. It was put on what I believed

to be a web page with access limited to my personal friends. No threat was stated on the cartoon and my criticism of Dr. Zaccari contained within the cartoon is of his stance on the parking garage and my view that he is overly concerned for the public perception of his legacy and generating auxiliary service income. I did not mean for Dr. Zaccari to see the cartoon, to be offended by it personally or to infer any threat by it. I apologize, as I have already done, that he felt threatened in any way. My mother later explained to me that most buildings named in memoriam are done so after a person dies. I did not know this. I wasn't trying to wish harm to Dr. Zaccari, I was just naming the building after him because he seemed so concerned for his public perception and his legacy in our meeting.

There are issues here that are of concern to me, namely (1) Dr. Zaccari did not name a disciplinary charge upon which to base an expulsion; (2) Dr. Zaccari did not follow any of the University's published procedures for due process in a disciplinary charge; (3) Dr. Zaccari's criteria for readmission to the University suggests that I suffer from mental illness and to my knowledge, he is not a mental health professional; (4) If Dr. Zaccari believes that I suffer from a mental illness, as he suggests in his letter, he did not follow the University's published procedures for due process for removal for mental health reasons; (5) Dr. Zaccari clearly established in my meeting with him that my efforts to promulgate my views on the building of a parking garage were offensive and embarrassing to him personally; however, he never suggested to me that my activities were threatening or constituted the basis for a disciplinary action.

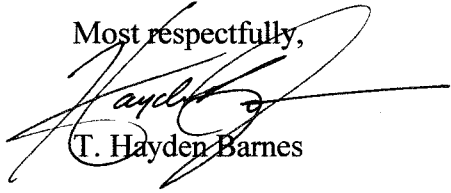
I am concerned that exercising one's First Amendment rights, even in a vigorous way, would be the basis for expulsion from an institution of higher learning, but I am even more concerned that Dr. Zaccari would feel threatened by my activities and for that I do apologize most sincerely. I don't understand his feeling threatened under the circumstances, but regardless, I would not want him or any one else to feel that way because of me or my actions.

Exercising my rights, responsibilities and obligations as a citizen is very important to me, but I can wait until I graduate from college to exercise them, if necessary. What I want and need at this time in my life, is to finish my degree. Towards that end, I have followed Dr. Zaccari's requirements and have submitted statements from a non-University psychiatrist, Dr. Kevin Winders and a counselor in the Valdosta State University Counseling Center, Mrs. Leah McMillan, both of whom I have had a relationship with for a period of time. It is hard to have to reveal personal medical and counseling information with the members of the Board of Regents, but I will in order to get back to school. Both of these professionals can confirm that I am not and have never been a threat to my own safety or that of others.

Given the opportunity to resume my education, I will refrain from any political or controversial activity on or related to Valdosta State University for the duration of my matriculation.

I respectfully request that the members of the Board of Regents reinstate my student status at Valdosta State University beginning August of 2007 so that I can complete my degree.

Most respectfully,

A handwritten signature in black ink, appearing to read "Hayden Barnes", with a long horizontal flourish extending to the right.

T. Hayden Barnes