

U of M Mortuary Student's Facebook Failing Appeal Begins

Amanda Tatro argues school violated free speech

Updated: Monday, 11 Apr 2011, 11:28 PM CDT
Published : Monday, 11 Apr 2011, 11:28 PM CDT

by Bill Keller / FOX 9 News

On Tuesday, the Minnesota Court of Appeals will hear the case of a University of Minnesota mortuary student who claims the school violated her rights to due process and free speech.

After many appeals in the case that began in 2009, there is more at stake than just a failing grade. It began when Amanda Tatro was placed on probation after a series of Facebook postings about her embalming class. Tatro later passed her finals but was given a failing grade as a sanction.

"The system affirmed that she was going to get a failing grade ... because she didn't understand the necessity for professionalism," said Mark Rotenberg, general council.

Tatro's lab instructor called police in December 2009 after she posted a Facebook status that said in part that she wished "to stab a certain someone in the throat with a trocar."

Tatro said she was just using "shop talk" when she vented about splitting up with her boyfriend, but even though no one was actually mentioned by name, she was accused of violating University rules for using "threatening, harassing or assaultive conduct."

"This whole fiasco is just -- It's so misconstrued. I'm not a monster," Tatro said. "I'm not someone who's going to attack anybody."

While there are not specific rules about posting on Facebook or Twitter, there is a rule that prohibits students from blogging about anatomy lab or cadaver dissection.

Each year, more than 300 people donate their bodies to the University of Minnesota, and the school said it is concerned Tatro's comments could erode the public's trust in the program.

"When we have crude, vulgar or unprofessional or threatening language used by our students in regard to the donors, we take that seriously," said Rotenberg.

During her initial hearing, Tatro's instructor called her "a good student," but although she had never been in trouble before, they deemed the Facebook postings "offensive."

In court documents, Tatro's attorney argued the rules are vague and confusing and that she shouldn't be disciplined for conduct occurring "off campus."

Tatro was also punished in part for sharing her story with the media.

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