



COLORADO STATE UNIVERSITY SYSTEM

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MICHAEL D. NOSLER, GENERAL COUNSEL

January 31, 2014

Mr. Peter Bonilla
Director, Individual Rights Defense Program
Foundation for Individual Rights in Education
601 Walnut Street, Suite 510
Philadelphia, PA 19106

Re: Professor McGettigan's e-mail access

Dear Mr. Bonilla:

Your letter to President Lesley DiMare dated January 21, 2014, has been referred to the undersigned for a response on behalf of Colorado State University-Pueblo (CSU-Pueblo). We disagree with your legal conclusions. Contrary to your assertions, the decision to suspend CSU-Pueblo Professor Tim McGettigan's access to university-wide distribution groups on CSU-Pueblo's e-mail system was in accordance with University policy and the decision was not a violation of his First Amendment rights.

Please be advised that Professor McGettigan's access to the CSU-Pueblo e-mail system has been restored to the extent necessary for him to perform his teaching responsibilities. Further, Professor McGettigan has refused the invitation of the President to meet and discuss this matter. Finally, it should be noted that if Professor McGettigan disagrees with this action, he has a right to file a grievance in accordance with the procedures set forth in the CSU-Pueblo Faculty Handbook.

Very Truly Yours,

A handwritten signature in black ink that reads "Michael D. Nosler".

Michael D. Nosler
General Counsel