



March 17, 2023

Jared Mikulski  
Litigation Fellow  
Foundation for Individual Rights and Expression  
510 Walnut Street, Suite 1250  
Philadelphia, PA 19106

Sent via email to [jared.mikulski@thefire.org](mailto:jared.mikulski@thefire.org)

Dear Mr. Mikulski:

I have received your letter dated March 9, 2023. You demanded that Eastern Washington University (EWU) revise its social media policy and unblock all social media users that it had previously blocked from its official social media accounts.

As of March 13, 2023, EWU has unblocked any previously blocked social media users. Additionally, EWU has initiated the process of revising its social media policy. You should know, however, that because EWU is a public agency, revising its social media policy entails a protracted policy approval process that will likely not conclude until the fall or winter of 2023. EWU must seek campus input on any policy revisions, present new policy drafts to its Board of Trustees at a quarterly meeting, and seek the Board of Trustees' approval of the policy at a subsequent quarterly meeting. Until the policy is officially approved by the Board of Trustees, it will not appear on EWU's website, but EWU staff will be instructed to follow the new draft policy in the interim.

EWU's new social media policy will preserve and outline EWU's legal authority to remove content and block social media users who post content that is obscene, libelous, fraudulent, inciting imminent lawlessness, or that contains true threats or fighting words. Moreover, the policy also will preserve and outline EWU's legal authority to remove content and block social media users who post content that is off-topic, provided those restrictions are viewpoint neutral. Chat bots have made spamming on social media platforms prolific. Spam is typically off-topic and it can clutter social media accounts and significantly diminish EWU's ability to use its social media accounts to share information and engage the community as intended.

I trust that this letter addresses your concerns. If it has not, please contact EWU's general counsel, Assistant Attorney General Rachael Curtis, at [rachael.curtis@atg.wa.gov](mailto:rachael.curtis@atg.wa.gov).

Sincerely,

Shari McMahan, PhD  
President

cc: Jay J. Manning, Chair, Board of Trustees of Eastern Washington University  
Barb Richey, Vice President & Executive Director of University Advancement  
David Meany, Director of Communications & Media Relations