

May 20, 2009

Mr. Adam Kissel  
Director, Individual Rights Defense Program  
Foundation for Individual Rights in Education  
601 Walnut Street, Suite 510  
Philadelphia, Pennsylvania 19106

Re: *The West Georgian*, University of West Georgia

Dear Mr. Kissel:

Dr. Sethna referred your letter of May 11, 2009, regarding the *The West Georgian* to my attention for a response. The University, through the office of the Vice President for Student Affairs and Enrollment Management, has opened an investigation into the funding cuts of *The West Georgian*. It is not expected to be concluded prior to your deadline of May 25, 2009, but I will give you our preliminary findings and update you as I am able. I hope that will suffice to meet your demands.

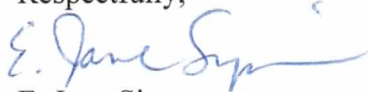
The University agrees with your position that the First Amendment is a vital component of an institution for higher learning, and the University allows its students a great deal of independence to make decisions related to student organizations. Many of the facts you outline in your letter are correct, however, the University respectfully disagrees with your conclusions. It is true that members of the Student Government Association (SGA) have complained about *The West Georgian*, but the complaints have generally centered on inaccurate factual statements that were published by the paper without any effort to investigate the accuracy of the statements. Minutes from the Student Publication Board support this finding. The Resolution that was written by Mr. Webster was a culmination of some of the frustration leveled at the SGA by other students who were unhappy with what many perceived as negative and inaccurate reporting by members of *The West Georgian*. The Resolution was not acted upon by University administration, nor did it have any effect as the funding year in question had concluded. The University cannot identify any violations of the First Amendment based upon the actions before the Student Publications Board or the SGA as stated above.

The actions taken by SAFBA are of a greater concern, and the University is investigating the funding cuts for next year's budget of *The West Georgian*. The University respectfully disagrees that it has selectively enforced Funding Guideline 7 against the newspaper. SAFBA makes every effort to identify inappropriate funding requests, and funds for advisors is a recurring request that is routinely rejected, if known. Budget request items can be difficult to identify. The effort to consider funding requests for over 50 student organizations and to allocate over one million dollars in funds is a formidable task that takes nearly three full days to complete. It is not surprising that errors will be made. If the investigation finds any actions that could be perceived as an infringement on the First Amendment, the University will take steps to resolve those concerns. If, after our investigation has concluded, you believe the University has acted inappropriately, then we welcome your further comments at that time.

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The University appreciates the role that your organization plays in protecting individual rights in the academic environment. I invite you to contact my office anytime you believe you have identified a violation, and I will make every effort to resolve your concerns. If you have questions regarding the foregoing, please call. I will update you on the results of our investigation into the funding cuts as soon as those results are available.

Respectfully,

A handwritten signature in blue ink, appearing to read "E. Jane Simpson".

E. Jane Simpson  
University General Counsel  
(678) 839-5306

cc: Dr. Beheruz N. Sethna  
Dr. Melanie McClellan  
Burns Newsome, USG Legal