



## Foundation for Individual Rights in Education

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January 7, 2010

President Lou Anna K. Simon  
Office of the President  
Michigan State University  
450 Administration Building  
East Lansing, Michigan 48824-1046

### **Re: “Spamming” policy and FIRE’s Red Alert list**

Dear President Simon:

I am writing to draw your attention to the full-page advertisement that FIRE ran in the most recent “America’s Best Colleges” issue of *U.S. News & World Report*. The advertisement appears on page 89, immediately adjacent to the rankings of the top 100 national universities. We have enclosed a copy of the issue for your information. FIRE plans to continue its advertisements in *U.S. News* each year to bring attention to the colleges and universities that make up our “Red Alert” list. The increased traffic the advertisement brings to FIRE’s website, thefire.org, as well as the negative attention it draws to the universities making up the list, make it all the more disappointing that FIRE must include Michigan State University among the “worst of the worst” for protecting liberty on campus.

FIRE takes no pleasure in keeping Michigan State on its Red Alert list. As an organization that prides itself on its ability to quickly resolve disputes, we find it especially disappointing that student speech remains threatened at Michigan State, and may in fact be in more peril than it was a year ago. FIRE is no less determined, however, to continue to expose and fight abuses of liberty on America’s campuses and at Red Alert institutions most of all.

As we have said repeatedly in our letters to Michigan State, as well as in numerous press releases and entries on FIRE’s blog, *The Torch*, ensuring Michigan State’s removal from FIRE’s Red Alert list is simple. While Michigan State has withdrawn the charges it originally filed against Kara Spencer, it must now redress the infirmities of its new “spamming” policy, which dramatically redefines the purpose of student e-mail accounts and threatens the ability of students to use them as a forum for personal opinions. Such a degradation of free expression cannot be allowed to stand, and FIRE will continue to publicly call on Michigan State to remedy this wrong until it does.

Taking this step will cost Michigan State nothing and will only save the university from the further embarrassment of having to publicly defend its indefensible disregard of student rights. Michigan State has both a moral and a legal obligation to protect these rights, and it is past time that the university lived up to them.

I would, of course, be happy to speak with you personally about this matter. You may reach me at 215-717-3473 or at [robert@thefire.org](mailto:robert@thefire.org). Thank you for your attention to this crucial issue. I sincerely hope that FIRE will not be sending this letter in another year's time.

Sincerely,

A handwritten signature in blue ink that reads "Robert L. Shibley". The signature is written in a cursive style with a large initial 'R'.

Robert L. Shibley  
Vice President

Encl.

cc:

Terry Denbow, Vice President for University Relations  
Robert W. Groves, Vice President for University Advancement