

# CLEMSON

UNIVERSITY

May 25, 2010

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

RE: William Kirwan

Dear Mr. Kissel,

Thank you for your letter to President Barker, dated May 24, 2010 and regarding William Kirwan. President Barker is out of the office this week but asked that I review your letter and respond on his behalf. After reviewing the documentation and speaking with several individuals at Clemson University, I am informing you that all disciplinary charges against Mr. Kirwan have been withdrawn. We are in the process of notifying him of that fact at this time and by the time you receive this letter, Mr. Kirwan should have received notice from the Office of Community and Ethical Standards.

As you note in your letter, the First Amendment protects speech even when it is rude or offensive. And while Mr. Kirwan's speech was both rude and offensive – especially those passages which you chose to omit from your letter – Clemson University does not prohibit speech in violation of the First Amendment.

Please feel free to contact me if you have additional questions.

Sincerely,



Clay Steadman  
General Counsel

C: James F. Barker, FAIA  
Gail DiSabatino  
Joy Smith



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