

Van Skilling
P.O. Box 1620
Saratoga, WY 82331

June 18, 2008

Mr. Adam Kissel
Foundation for Individual Rights in Education
601 Walnut Street, Suite 510
Philadelphia, PA 19106

Dear Mr. Kissel:

I am writing in response to your letter of May 16, 2008 regarding the student conduct code violation at Colorado College in February 2008 involving the "Monthly Bag". The board and I have reviewed all the facts and related activity concerning this matter and have concluded that the College acted correctly in their handling of the students' behavior. We have considered your concerns and find no basis to make any changes to the College's actions in this matter.

As a careful analysis of the facts show, the incident involved student conduct that created fear on our campus and a reasonable concern for the safety of our community. The "Monthly Bag" was published anonymously without warning or permission. The publication referenced tools and weapons of violence – including a "sniper rifle" in a way that created a reasonable concern for safety of the campus. Unfortunately the unprecedented wave of violence on college campuses, including 8 fatal shootings in just the 3 weeks prior to the flyer's publication, means that administrations have no choice but to take such references seriously.

The board and I have reviewed the full student conduct process that followed the posting, including the findings of responsibility with regard to the two students involved, the letters sent to the students which will be removed from their records upon graduation from the college, the appeal process by an independent 3 - member panel and the panel's decision upholding the findings of responsibility. It is our conclusion that the process was followed and that the students were treated fairly and correctly under the college's standards. There was no violation of the students' right to free speech, which you correctly recognize has significant limits both on our campus as well as in our society at large under time honored Supreme Court rulings.

Following the conclusion of the student conduct process, the students who authored the "Monthly Bag" were free to post additional versions of their flyer – which in fact they did in April – once they identified themselves and requested permission to post in accordance with college guidelines. We look forward to

both students returning to Colorado College in good standing this academic year to continue their education. In summary, the matter is now concluded and there is no need for further action. Thank you for your interest.

Sincerely,

D. V. Skilling
Chair of the Board of Trustees
Colorado College