

November 25, 2015

Jill Tiefenthaler  
Office of the President  
Colorado College  
14 East Cache La Poudre Street  
Colorado Springs, Colorado 80903

**URGENT**

**Sent via U.S. Mail and Electronic Mail ([president@coloradocollege.edu](mailto:president@coloradocollege.edu))**

Dear President Tiefenthaler:

The Foundation for Individual Rights in Education (FIRE) unites leaders in the fields of civil rights and civil liberties, scholars, journalists, and public intellectuals across the political and ideological spectrum on behalf of liberty, legal equality, academic freedom, due process, freedom of speech, and freedom of conscience on America's college campuses.

That afternoon, Pryor met with Mason and admitted to authoring the anonymous reply, maintaining that it was a joke. Later that evening, Mason requested via email that Pryor return to her office in order to discuss the college's response to his post. On November 20, Mason met with Pryor and provided him with a letter informing him that she had found him responsible for violating Colorado College policies governing "Abusive Behavior" and "Disruption of College Activities." The offenses are defined by the college's Student Conduct Policies as follows:

**Abusive Behavior:** The college prohibits abusive behavior, which is any act that endangers the mental or physical health or safety of a student or group, or which destroys or removes public or private property, or which produces ridicule, embarrassment, harassment, intimidation or other similar result. Spectators at athletic events should convey enthusiasm and team support; demeaning, disrespectful or vulgar behavior may be found to be in violation of this policy.

**Disruption of College Activities:** Disruption of college business, activities, and academic courses is prohibited. Examples of violations of this policy include, but are not limited to:

- Obstructing freedom of movement of community members or campus visitors, either pedestrian traffic or vehicular traffic;
- Causing noise or participating in a demonstration that disrupts the normal college activities (see the Protest and Dissent page for information about acceptable ways to protest and express dissent);
- Leading or inciting others to disrupt scheduled or normal activities of the campus.

Mason's letter further notified Pryor that would be suspended, effective immediately, until August 28, 2017, and that during this time he would be banned from Colorado College's campus and would not be allowed to take classes at other institutions for academic credit. Finally, Mason's letter conditioned Pryor's reinstatement after the suspension on the submission of a petition letter explaining how his behavior had improved during his suspension. Pryor intends to submit an appeal of Mason's decision today.

As a private institution, Colorado College is not bound by the First Amendment. Nevertheless, it is both morally and contractually bound to honor the explicit, repeated, and unequivocal promises of freedom of expression it has made to its students. For example, Colorado College's student handbook's statement on "Rights and Responsibilities" states, in part:

Academic institutions exist for the transmission of knowledge, the quest for truth, the development of students, and the general well-being of society. In

the pursuit of these ends, all members of the college community have such basic rights as freedom of speech, freedom of press, freedom of peaceful assembly and association, freedom of personal beliefs, and freedom from personal force and violence, threats of violence and personal abuse.

Accordingly, Colorado College's policy titled "Freedom of Expression" promises:

Freedom of thought and expression is essential to any institution of higher learning. Uncensored speech — which does not include a right to harass, injure, or silence others — is essential in an academic community and will be vigorously defended.

Colorado College's heavy-handed overreaction in this matter is at odds with these principles and unacceptably chills the expressive rights of Colorado College students, which the college has pledged to vigorously protect. Colorado College must immediately reverse the charges and sanctions against Thaddeus Pryor.

Again, Colorado College explicitly promises that "all members of the college community have such basic rights as freedom of speech." The principle of freedom of speech does not exist to protect only non-controversial expression; it exists precisely to protect speech that some members of a community may find controversial or offensive. The Supreme Court of the United States stated in

pregnancies of murder? Would it discipline a Palestinian advocate for accusing Israel of apartheid and racism? The answer must be no.

