



*Active Minds Changing Lives*

October 27, 2011

516 High Street  
Bellingham, Washington 98225-5996  
(360) 650-3000 • www.wvu.edu

Mr. Peter Bonilla  
Foundation for Individual Rights in Education  
601 Walnut Street, Suite 510  
Philadelphia, Pennsylvania 19106

*Sent via U.S. Mail and Facsimile (215-717-3440)*

Dear Mr. Bonilla,

I am writing in response to your letter to President Bruce Shepard dated October 21, 2011. I supervise Michael Schardein, Western Washington University's Student Conduct Officer, and would like to respond to the concerns you've raised.

Mr. Schardein recognizes that he erred in using Western's Student Rights and Responsibilities Code as a vehicle to talk with Mr. Ramirez regarding his interaction with our parking staff. His intent was not to penalize Mr. Ramirez for his constitutionally protected speech; rather, he hoped to have a conversation with Mr. Ramirez about the expectation we have of Western students to act in a manner consistent with the high standards of scholarship and behavior relevant to an institution of higher education (as set forth in the Preamble of our Student Rights and Responsibilities Code).

Western supports the rights of each member of our university community with regard to freedom of speech. In retrospect, Mr. Schardein recognizes that a simple phone call to Mr. Ramirez would have been a more appropriate venue for talking about the importance of treating others with respect. As educators, we recognize the role communication skills can play in students' success and hope to help them develop the skills needed to be successful in their future occupations and communities upon graduation from Western.

Using the Student Rights and Responsibilities Code to talk with a student about his or her interactions with staff was an inappropriate use of our Code. Mr. Schardein has met with Mr. Ramirez, apologized to him for his error, and explained to Mr. Ramirez that their discussion would not be part of his conduct record. Further, the administrative hold and all charges have been cleared from Mr. Ramirez's educational record.

Mr. Bonilla, thank you for assisting Mr. Ramirez and for informing us of our error. Western strongly supports the First Amendment rights of all members of our university community, and is committed to supporting all forms of protected speech.

Sincerely,

A handwritten signature in black ink, appearing to read "Sherry L. Mallory".

Sherry L. Mallory, Ph.D.  
Associate Dean of Students

cc: Theodore Pratt, Jr., Dean of Students, Western Washington University  
Bruce Shepard, President, Western Washington University  
Randy Stegmeier, Director of Public Safety, Western Washington University