



June 25, 2015

Dear Ron Tucker and the Members of the Board of Trustees of Fairmont State University,

I'm writing on behalf of College Media Association to express our deep concern about the treatment of journalism instructor and student publications adviser Michael Kelley and the students working on the Fairmont State University campus newspaper, *The Columns*. We fear recent actions by the administration – including the failure to renew Mr. Kelley's employment contract, harassment of student reporters, and efforts to censor the paper – constitute violations of the First Amendment.

College Media Association is the leading organization of professionals who advise college newspapers, broadcast outlets, websites, magazines, yearbooks and other forms of student media. With more than 700 members, we see it as our duty to uphold the free press rights of student journalists. We join the Student Press Law Center and the Society of Professional Journalists, as well as the staff of *The Columns*, in calling for you to investigate this situation and to show a genuine commitment to protecting the rights of your students to practice unfettered journalism.

Mr. Kelley was hired to teach journalism and advise the student newspaper. From all accounts he successfully recruited, trained and mentored a staff of student journalists who went on to do some excellent investigative reporting about potentially harmful mold in campus housing. We understand university officials have tried to exercise prior restraint over content in *The Columns*, have bullied student journalists and threatened to stop publishing the paper. These are not only a violations of the First Amendment but of your own Board of Governors Policy 17, Section 4.2.5 regarding "a free and independent student press which adheres to the canons of responsible journalism."

As you undoubtedly know, Mr. Kelley's contract was not renewed after the newspaper published stories that put the university in an unflattering light. We fear this is an act of retaliation against Kelley and the newspaper for *The Columns'* investigative reporting.

The CMA Code of Ethical Behavior states: "Student media must be free from all forms of external interference designed to regulate its content, including confiscation of its products or broadcasts; suspension of publication or transmission; academic personal or budgetary sanctions; arbitrary removal of staff members or faculty; or threats to the existence of student publications or broadcast outlets. In public institutions, the law is quite clear on guaranteeing broad freedom of expression to the students."

As governors of a public university, you are entrusted with upholding the First Amendment rights of students. We ask that you reinstate Michael Kelley as journalism instructor and adviser to *The Columns* and that you make sure university officials allow student journalists to cover the Fairmont State University campus without interference.

Sincerely,

Rachele Kanigel
President, College Media Association