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DIRECT ALL CORRESPONDENCE
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August 24, 2010

Albert Gaudio, Esq.
513 Schoonmaker Ave.
Monessen, PA 15062

RE: Westmoreland County Community College Speech Codes

Dear Mr. Gaudio:

I am writing to make you aware of the recent Third Circuit decision in *McCauley v. University of the Virgin Islands*, --- F.3d ---, No. 09-3735, 2010 U.S. App. LEXIS 17196 (3rd Cir. August 18, 2010), striking down unconstitutional speech policies maintained by the University of the Virgin Islands on First Amendment grounds. The Third Circuit found the University's regulations prohibiting "offensive" or "unauthorized" signs and conduct causing "emotional distress" unconstitutional. The Third Circuit also upheld the Federal District Court's invalidation of a policy that forbade causing "mental harm" or demeaning or disgracing any person.

WCCC's Sexual Harassment Policy is in need of adjustment. *McCauley* now adds to the clear Third Circuit precedent that holds that WCCC's speech code is unconstitutional. The policy must be brought into compliance with Third Circuit precedent prior to the beginning of the fall semester.

Albert Gaudio, Esq.
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Thank you for your attention to this matter.

Very truly yours,



Leonard G. Brown, III

cc: Alliance Defense Fund, Center for Academic Freedom
Jesse Samek
Garret Wible
Randal L. Wenger, Esq., Independence Law Center