

Dear Ms. Benjamin:

Thank you for your email to the Board about Professor David Klein's activities at California State University, Northridge (CSUN). Dr. Timothy White, the Chancellor of the California State University, and the Chair of the CSU Board of Trustees, Mr. Bob Linscheid, have read your email and been fully briefed on the history of this matter. They have asked me to respond to your concerns on behalf of the CSU.

As you know, President Harrison previously responded to concerns about the contents of Professor Klein's website and shared with you her statement about this matter which is available at <http://www.csun.edu/president/letter-2012-07-09-website>. As President Harrison said in her statement, she personally does not agree with Dr. Klein's positions and, particularly, the manner in which he has chosen to present them. She also stated that she does not believe that his approach promotes or advances constructive dialogue. I personally concur with both of those sentiments. However, while we do not endorse or support Dr. Klein's views, the University's review, conducted in consultation with the Office of General Counsel, determined that the content of the website does not violate California law and is constitutionally protected speech. We have also consulted with the Anti-Defamation League which agreed that the website's contents were not anti-Semitic. Finally, the California Attorney General's office also reviewed the website in response to an external complaint it had received and determined there was no evidence to support a finding of misuse of the CSU name or state resources. A copy of the Attorney General's letter is available at the above website.

More recently, on August 13, 2013, you sent President Harrison an email alleging that Professor Klein had inappropriately used his CSUN email to endorse a political candidate. The campus confirmed that this email indeed had been sent from Dr. Klein's CSUN email account and that this was a violation of CSUN policy 500-10 ("Use of Computing Resources") and 500-11 ("Unauthorized Email"), as well as Government Code section 8314 and various court decisions holding that public resources may not be used for political campaign activity.

On August 15, 2013, President Harrison sent you a response that stated, "We have investigated the matter, communicated with Professor Klein, and taken appropriate action." Because this involves an internal personnel matter, we cannot disclose any actions we have taken. However, the Chancellor and the Trustee Chair, as officers charged with the oversight of the CSU, have been apprised of the university's actions and are satisfied with CSUN's handling of the matter.

We appreciate your email and the opportunity to clarify the university's position on Professor Klein's website and our response to your more recent concerns related to the use of his email account.

G. ANDREW JONES | CALIFORNIA STATE UNIVERSITY

Interim General Counsel | Office of General Counsel

401 Golden Shore | 4th Floor | Long Beach, CA 90802-4210

Direct [562-951-4467](tel:562-951-4467) | Main [562-951-4500](tel:562-951-4500) | Fax [562-951-4956](tel:562-951-4956) | gajones@calstate.edu



cc: Bob Linscheid, Chair, CSU Board of Trustees
Timothy P. White, Chancellor
Dianne Harrison, President, CSUN