

While the law, in fact, requires that conduct be severe *and* pervasive in order to be punishable harassment, Ms. Monaco's behavior did not reach this level even if assessed element by element. The use of a single profanity in an e-mail accidentally sent to a professor would, without doubt, not be considered so "severe" as to transform it from fully protected speech to punishable harassment. Furthermore, it is clear from the case law that one profanity in one e-mail is nowhere near sufficient to make Ms. Monaco's conduct "pervasive" or "persistent." If Ms. Monaco had sent numerous e-mails to this professor

Goodman from the Student Press Law Center stated in a letter to Ms. Monaco, the law is clear in indicating that school officials have no authority to choose who can or cannot write for a student newspaper.

I do appreciate your honest response to our letter. I hope you understand that in taking this action against Ursula Monaco, SUNY Suffolk has, without question, exceeded its lawful powers. Legally speaking this is not a close call. We urge you to undo your punishment of Ms. Monaco as soon as possible. While FIRE does not litigate against universities, we do warn them when they are treading on legally untenable gro29.956417(6 -13n-0.956417(l)-12.5431(e)3.15789()-0.479431(n)-0.95