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September 11, 2025

Jessie Appleby
Program Counsel, Campus Rights Advocacy
Foundation for Individual Rights and Expression

Sent via electronic mail (jessie.appleby@thefire.org)

Dear Ms. Appleby:

I've been asked to respond to your letter to University of Missouri President Mun Choi dated September 4, 2025. The University values freedom of expression and likewise is glad to have had productive interactions with FIRE in the past.

The University has not infringed on the First Amendment rights of the Legion of Black Collegians in refusing the organization's request to hold a "Black 2 Class Block Party" at the Gaines/Oldham Black Culture Center. We appreciate your acknowledgment that the University may step in to address events that are racially exclusive. This is especially important in light of recent federal guidance. For example, the [July 29, 2025 Department of Justice Memorandum](#), cautions against "resource allocation - such as... event venues - that segregates access based on protected characteristics, even if intended to create 'safe spaces.'" The DOJ memo offers the example of a "BIPOC-only study lounge," stating that "[e]ven if access is technically open to all, the identity-based focus creates a perception of segregation and may foster a hostile environment."

The University considered the proposed event in context and acted appropriately in light of its exclusive nature. We do not believe the September 4 letter fully appreciates the factual context and we do not agree that the University's decision was based on "avoiding... unreasonable perceptions." For example, the manner in which the term "Black" was used, the location and time in juxtaposition to the University-sponsored Welcome Black and Gold BBQ and other factors supported the University's reasonable concern about the event. We note that in

its response to the University's decision, LBC emphasized that "We are a group of Black students creating space for other Black students."

We agree that the use of a racial or cultural signifier in the name of an event does not necessarily mean that it cannot occur at a University facility. As merely one example, the University itself held a Distinguished Black History Month Lecture on February 6, 2025. We will continue to assess events in context in determining whether they present issues of racial exclusivity or hostile environment, also considering the First Amendment rights of those involved and the University's own commitment to freedom of expression. In that regard, we will not commit that the University would allow LBC to use University facilities for a "Black 2 Class Block Party" next year.

Please note that this letter does not attempt to address every factual or legal assertion raised in the September 4 letter, as we do not believe it is necessary or productive to do so. Accordingly, the absence of an express response to any particular assertions should not be construed as an admission.

Sincerely



Paul R. Maguffee

cc: Mun Y. Choi, Ph.D., President
Mark Menghini, General Counsel