



March 3, 2026

Steve Perez
Office of the President
California State University, Chico
400 West First Street
Chico, California 95929

Sent via U.S. Mail and Electronic Mail (presidentoffice@csuchico.edu)

Dear President Perez:

FIRE, a nonpartisan nonprofit that defends free speech,¹ is concerned by California State University, Chico's ban on fraternities' spring 2026 recruitment. Chico State's guilt-by-association punishment violates students' First Amendment rights to free association while failing to meaningfully further campus safety. We urge Chico State to immediately lift this ban and commit to individualized disciplinary determinations going forward.

On December 16, 2025, Chico State's Fraternity Coordinator Chuy Rojas Rivas sent a mass email to the university community announcing a "pause" on spring 2026 rush week, pending a "redesign [of] the recruiting and new-member education process."² Rojas Rivas said this was due to multiple hazing incidents the university has dealt with in previous semesters.³ He added:⁴

This should not be viewed as a punishment but as a protective decision designed to prioritize student safety while fraternity chapters work with the University ... This is an opportunity for the [Interfraternity Council] to strengthen internal operations and

¹ For more than 25 years, FIRE has defended free expression and other individual rights on America's university campuses. You can learn more about our mission and activities at fire.org.

² Email from Chuy Rojas Rivas, Fraternity and Sorority Life Program Coordinator, to students (Dec. 16, 2025, 9:21 PM) (on file with author). The recitation of facts here reflects our understanding of the pertinent information. We appreciate that you may have additional information and invite you to share it with us.

³ *Id.* Chico State has previously suspended fraternities on an individualized basis due to hazing. See Grace Stark, *Chico State's hazing history: pledge deaths, alcohol poisoning and more*, THE ORION (Apr. 16, 2024), <https://theorion.com/99760/news/chico-states-hazing-history-pledge-deaths-alcohol-poisoning-and-more/>.

⁴ Email from Rojas Rivas, *supra* note 2.

focus on brotherhood, academics, and philanthropy in order to build a better fraternity life at Chico State.

As a public institution bound by the First Amendment,⁵ Chico State’s actions must not violate students’ freedom of association, which protects the “right to associate with others in pursuit of a wide variety of political, social, economic, educational, religious, and cultural ends.”⁶ As a corollary, the First Amendment also forbids “guilt by association.”⁷ These principles protect university students’ right to host recruitment, social, and other expressive events.⁸

Chico State has infringed on these First Amendment rights by prohibiting recruitment. The affected fraternities are expressive associations with expressed values that define the organizations.⁹ Yet now they are effectively barred from associating with other students who may wish to share and advance those values.

That this edict applies to fraternities not accused of wrongdoing is an unconscionable finding of guilt by association, because, contrary to what Rojas Rivas said, this *is* punishment.¹⁰ All Chico State fraternities are being deprived of their expressive freedom to recruit and participate in social events. This, in turn, affects each fraternity’s ability to collect membership dues and find members who can replace outgoing seniors in leadership positions—another violation of freedom of association. These are clearly punitive and detrimental effects, and for

⁵ *Healy v. James*, 408 U.S. 169, 180 (1972) (“[T]he precedents of this Court leave no room for the view that, because of the acknowledged need for order, First Amendment protections should apply with less force on college campuses than in the community at large. Quite to the contrary, ‘the vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.’”) (internal citation omitted).

⁶ *Roberts v. U.S. Jaycees*, 468 U.S. 609, 622 (1984); *Widmar v. Vincent*, 454 U.S. 263, 268–69 (1981) (“[O]ur cases leave no doubt that the First Amendment rights of speech and association extend to the campuses of state universities.”); *see also, e.g., NAACP v. Claiborne Hardware Co.*, 458 U.S. 886, 918 (1982) (“[T]he First Amendment restricts the ability of the State to impose liability on an individual solely because of his association with another.”). This applies regardless of the genesis of the restriction, whether it be a university policy, *see Chi Iota Colony of Alpha Epsilon Pi Fraternity v. City Univ. of N.Y.*, 502 F.3d 136, 139 (2d Cir. 2007), a university’s directive banning student group social functions, *see Gay Students Org. of Univ. of N.H. v. Bonner*, 509 F.2d 652, 654 (1st Cir. 1974), or a university’s discipline for student group misconduct, *see Iota Xi, Sigma Chi Fraternity v. Patterson*, 566 F.3d 138, 141 (4th Cir. 2009).

⁷ *Healy*, 408 U.S. at 186.

⁸ *See NAACP v. Button*, 371 U.S. 415, 430 (1963) (on the right to recruit or otherwise associate for the advancement of a cause); *U.S. Citizens Ass’n v. Sebelius*, 705 F.3d 588, 600 (6th Cir. 2013) (associational freedom “shields against laws that make group membership less attractive without directly interfering in an organization’s composition.”).

⁹ For example, the Gamma Zeta Alpha fraternity professes “a vision of Academic Excellence, Community Service, and the Maintenance of the Latino Culture through the bonds of brotherhood.” *Gamma Zeta Alpha Fraternity, Inc.*, CAL. STATE UNIV., CHICO, <https://csuchico.campuslabs.com/engage/organization/gamma-zeta-alpha> [<https://perma.cc/C8U7-ABDX>].

¹⁰ “Removal from participation in recognized student clubs and organizations (e.g. fraternities and sororities), and/or University events” is recognized as a sanction in Chico State’s own policies. *Student Conduct Process, Sanctions, Loss of Privilege*, CAL. STATE UNIV. (June 5, 2025), <https://calstate.policystat.com/policy/17620338/latest/#autoid-943mp> [<https://perma.cc/2WZR-WHX8>].

Chico State to call it “an opportunity” is deeply misleading, especially since fraternities have lost *their* opportunities to recruit new members.

Chico State’s logic behind the restriction seems to be the following: some Chico State fraternities have hazed in previous semesters. The University expects this to happen again, so instead of punishing the individuals involved in actual hazing incidents (as Chico State has done in previous semesters), it has decided to stop *all* recruitment, meaning there can be no new pledges to possibly haze. Not only does this violate students’ rights—even assuming that hazing is the pressing issue that Chico State says it is—it is also tactically unsound. Any fraternity can disassociate from Chico State and continue recruitment.¹¹ Meanwhile, the fraternities who remain in good standing and have no predisposition to violate Chico State’s anti-hazing policies suffer the same detriment as the offending ones, should they choose not to disassociate. In addition to being unconstitutional¹² and offensive to traditional notions of justice,¹³ there is no university interest in punishing innocent groups merely because they are also fraternities.

The university’s interest in addressing hazing and protecting students cannot be furthered by forcing groups off campus and outside administrators’ jurisdiction. A better solution would be to work with groups to address perpetrators through individualized disciplinary determinations and to combat the culture that gives rise to hazing, whether that be through anti-hazing education, workshops, or other means.¹⁴

We request a substantive response to this letter no later than the close of business on March 17, confirming Chico State will lift its ban on spring 2026 rush.

Sincerely,



Garrett Gravley
Program Counsel, Campus Rights Advocacy

¹¹ Faced with the choice of remaining recognized by the university or disbanding due to lack of membership, several groups have already gone independent. See Hannah Cabral, *Should national chapters prevent fraternities from leaving the IFC?*, THE ORION (Mar. 1, 2026), <https://theorion.com/107873/opinion/lambda-chi-alpha-avoids-probation-for-hazing/>.

¹² *Healy*, 408 U.S. at 186 (“‘Guilt by association alone’ ... is an impermissible basis upon which to deny First Amendment rights.”) (quoting *United States v. Robel*, 389 U.S. 258, 265 (1967)).

¹³ *Claiborne*, 458 U.S. at 932 (“[G]uilt by association is a philosophy alien to the traditions of a free society”).

¹⁴ For example, after a series of hazing incidents at Pennsylvania State University in 2017, Centre County District Attorney Stacy Parks Miller made multiple recommendations to the university administrators, including the establishment of a “hazing bill of rights” and anonymous hazing hotline. See Sam Ruland, *Grand jury reveals recommendations for Penn State greek life almost one year following Timothy Piazza’s death*, THE DAILY COLLEGIAN (Dec. 15, 2017), https://www.psucollegian.com/news/campus/article_c68c889e-e1a6-11e7-942a-73775112b991.html.

Cc: Chuy Rojas Rivas, Program Coordinator, Fraternity and Sorority Life
Erika Guerra, Program Coordinator, Fraternity and Sorority Life
Kendall Ross, Senior Director, Student Life and Leadership