



April 24, 2026

Joseph J. Helble
Office of the President
Lehigh University
27 Memorial Drive West
Bethlehem, Pennsylvania 18015

Sent via U.S. Mail and Electronic Mail (jjh282@lehigh.edu)

Dear President Helble:

FIRE¹ is concerned for the state of free expression and association at Lehigh University after the Student Senate canceled a recognition vote for the school's Turning Point USA chapter. While some on campus may disagree with TPUSA's mission or expression, this viewpoint-based rejection is a form of censorship that violates Lehigh's commitments to its students' freedom of expression and association. We therefore call on Lehigh to prompt its Student Senate to reconsider TPUSA's recognition using viewpoint-neutral criteria to determine student group eligibility.

In its March 3, 2026 meeting, the senate voted against giving TPUSA a trial period as a recognized student organization.² At the insistence of two Senators, a revote was initially scheduled for April 7, but during that meeting, the senate declined to vote on the matter and pushed it to the following week.³ At the meeting, Ryan Hatfield, the club affairs committee chair, pointed out that the March 3 denial contradicted the club committee's recommendation and appeared "content-based."⁴ On April 9, Drew Smith, the senate's vice president of internal affairs, announced via the online communication platform Slack that the rescheduled vote was

¹ As you recall from previous correspondence, the Foundation for Individual Rights and Expression (FIRE) is a nonpartisan nonprofit dedicated to defending free speech.

² Natalie Javitt and Natalie Brenner, *Administrators back Turning Point USA chapter amid pending Senate revote*, THE BROWN AND WHITE (Apr. 6, 2026), <https://thebrownandwhite.com/2026/04/06/administrators-back-turning-point-usa-chapter-amid-pending-senate-revote/>. The Lehigh Student Senate bylaws require a six-week academic trial period as a condition for full recognition. *Lehigh University Student Senate Bylaws, Club Affairs and Procedures, Recognition of Student Organizations, Procedures for New Club Recognition*, LEHIGH UNIV., 40 (updated 04/09/2025), https://docs.google.com/document/d/1nXZ6BkuA1mP4alVgkUCpDdQ9r4sgrqS2g810IIQ4_Yc/edit?tab=t.0 [<https://perma.cc/76YR-MT5L>].

³ Natalie Brenner, *Turning Point USA re-vote pushed to next week*, THE BROWN AND WHITE (Apr. 9, 2026), <https://thebrownandwhite.com/2026/04/09/turning-point-usa-re-vote-pushed-to-next-week/>.

⁴ *Id.* ("The precedent for sidelining the rubric for a content-based denial is — I would argue — remarkably dangerous.")

ultimately canceled, and the senate would not consider another vote for the remainder of the semester.⁵ This decision leaves TPUSA without an opportunity to gain recognition until the fall 2026 semester at the earliest.

Circumstances suggest that TPUSA’s ideology factored into these decisions. When student newspaper *The Brown & White* posted on Instagram on April 6 about the initial vote rejecting TPUSA, junior senator Ibtihal Gassem liked a comment saying, “Super proud of my peers standing up against bigotry and incredibly disappointed by all the cowards in admin[.]”⁶ On April 22, the paper published a story detailing the senate debate, revealing that student senators had considered changing a rubric score to zero in the category of “benefit to community,” even though TPUSA’s score in this respect was found satisfactory before the March 3 vote.⁷ And despite the fact that the bylaws require notice of approval or denial within five academic days, *The Brown & White* reports that TPUSA did not receive such confirmation for a *month*, even after officers followed up three times.⁸

As the organization tasked with recognizing student groups on behalf of Lehigh,⁹ the Student Senate’s determinations must be consistent with Lehigh’s commitment to free expression. Thus, the senate’s decision to deny recognition to TPUSA over its beliefs—or any potential community opposition to them—violates the group’s free speech rights under Lehigh’s laudable policies.¹⁰ That the students, rather than Lehigh administrators, made the decision does not absolve the institution itself of its responsibility to act within these rules, as the senate acts with the university’s authority when recognizing student groups on behalf of the university.¹¹

The possibility that students might disagree with one another—even vehemently—is precisely what Lehigh contemplates when it promises its students freedom of expression. This holds even if listeners are, or claim to be, personally offended by those disagreements.¹² Accordingly,

⁵ Natalie Brenner, *Senate retracts motion to re-vote on Turning Point USA chapter*, THE BROWN AND WHITE (Apr. 9, 2026), <https://thebrownandwhite.com/2026/04/09/senate-retracts-motion-to-re-vote-on-turning-point-usa-chapter-the-brown-and-white/>.

⁶ The Brown and White (@lubrownwhite), INSTAGRAM (Apr. 6, 2026), <https://www.instagram.com/p/DWzjaK7FUai/> (screenshot of like on file with author).

⁷ Natalie Brenner and Natalie Javitt, *Inside the Student Senate: What happened with Turning Point USA*, THE BROWN AND WHITE (Apr. 22, 2026), <https://thebrownandwhite.com/2026/04/22/inside-the-student-senate-what-happened-with-turning-point-usa/>.

⁸ *Id.*; see also *Senate Bylaws*, *supra* note 2 at 40 (“The organization’s officers must be notified of Student Senate’s decision within five (5) academic days in writing by The Vice President of Engagement”).

⁹ See *Senate Bylaws*, *supra* note 2 at 39.

¹⁰ *Associated Polices and Regulations*, Policy on Freedom of Thought, Inquiry and Expression, and Dissent by Students, LEHIGH UNIV. (last visited Apr. 22, 2026), <https://studentaffairs.lehigh.edu/content/associated-polices-and-regulations> [<https://perma.cc/CH6C-TPA2>].

¹¹ See *Healy v. James*, 408 U.S. 169, 184 (1972) (holding that once the proposed group had completed all the procedural requirements for recognition, the First Amendment placed a “heavy burden” on the college to demonstrate a viewpoint-neutral justification for denial). The Senate recognizes student groups and allocates university funding on behalf of Lehigh, so there is a clear principal-agent relationship. See *University Governance*, The Student Senate, LEHIGH UNIV., <https://studentaffairs.lehigh.edu/content/university-governance> [<https://perma.cc/7T6F-VAPZ>].

¹² The protection of offensive speech is a “bedrock principle” of free speech. *Texas v. Johnson*, 491 U.S. 397, 414 (1989).

in keeping with this commitment, the senate must employ only content- and viewpoint-neutral criteria in recognizing and funding student organizations.¹³ Failure to do so constitutes viewpoint discrimination, “an egregious form” of censorship.¹⁴

Between one student senator liking a comment calling the vote an act of “standing up against bigotry,” and another admitting the denial was due to the content of TPUSA’s speech, there is abundant evidence that the senate’s vote not to approve TPUSA was an example of viewpoint discrimination. That TPUSA was not given notice of its rejection for a full month, despite the bylaws requiring notice within five days, further suggests that the senate was aware that it had violated the rights promised to all Lehigh students. And since the senate has ruled out any further votes this semester on granting TPUSA the trial period required for recognition, the group is indefinitely dispossessed of funding opportunities and the ability to reserve rooms for on-campus events.¹⁵

As a historical matter, prohibitions against viewpoint discrimination have protected groups across the political spectrum when they have held dissenting or unpopular views, including groups with views now widely held today. For example, the principle of viewpoint neutrality protected chapters of LGBTQ+ organizations in the 1970s and 1980s when student senates and university trustees, supported by state lawmakers, refused to “support a homosexual group” or their expression—expression that was, at the time, widely and sincerely considered to be “shocking and offensive.”¹⁶ And because the senate is an elected body, its exercise of unfettered discretion to determine whether such groups may be recognized means that every group’s ability to organize and speak on campus is subject to a popularity contest over current ideological and political preferences. Lehigh’s Student Senate, as well as the university at large, should consider that by rejecting TPUSA on viewpoint-based grounds, they are taking a stand alongside those who, in the past, used the very same institutional power to silence groups *they* disliked.

University recognition of a student organization is not an endorsement of that group, its speakers, events, or ideology. That much is recognized by the senate’s own bylaws.¹⁷ Even absent such a statement, no reasonable person would expect the senate to recognize only groups whose views the body could wholeheartedly agree, seeing as there are more than 200

¹³ See *Bd. of Regents of Univ. of Wis. Sys. v. Southworth*, 529 U.S. 217, 233 (2000) (“When a university requires its students to pay fees to support the extracurricular speech of other students, all in the interest of open discussion, it may not prefer some viewpoints to others.”); *Rosenberger v. Rectors of the Univ. of Va.*, 515 U.S. 819, 836 (1995) (“For the University, by regulation, to cast disapproval on particular viewpoints of its students risks the suppression of free speech and creative inquiry in one of the vital centers for the Nation’s intellectual life, its college and university campuses.”).

¹⁴ *Rosenberger*, 515 U.S. at 829.

¹⁵ *I want to Start a Student Club at Lehigh!*, What are the benefits to becoming a Student Senate recognized club, and do I need Student Senate recognition to operate as a club?, LEHIGH UNIV., <https://studentaffairs.lehigh.edu/content/i-want-start-student-club-lehigh> [<https://perma.cc/8QM5-WRJY>].

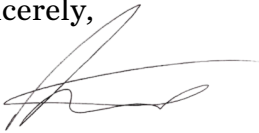
¹⁶ See *Gay Students Org. of Univ. of N.H. v. Bonner*, 509 F.2d 652, 661–62 (1st Cir. 1974); see also *Gay & Lesbian Students Ass’n v. Gohn*, 850 F.2d 361, 362–63 (8th Cir. 1988); *Gay Alliance of Students v. Matthews*, 544 F.2d 162, 145–46 (4th Cir. 1976); *Wood v. Davison*, 351 F. Supp. 543, 546–47 (N.D. Ga. 1972).

¹⁷ *Senate Bylaws*, *supra* note 2 at 39 (“Recognition of a student organization at Lehigh University implies an acceptance, *though not an endorsement*, of the purposes, objectives, and policies of the organization.”) (emphasis added).

clubs and organizations at Lehigh.¹⁸ If recognition were to become contingent upon groups engaging only in expression palatable to those senate members most sensitive to public opinion, there would be precious few clubs left for Lehigh students to join. After all, any religious or political stance taken by a recognized group on campus could be considered offensive or unwelcome to those who disagree with that group's beliefs.¹⁹

Given the ongoing violation of TPUSA's expressive and associational liberties, we request a substantive response to this letter no later than the close of business on May 8, 2026, confirming that Lehigh will promptly provide the group an opportunity to seek recognition via viewpoint-neutral criteria.

Sincerely,



Garrett Gravley
Program Counsel, Campus Rights Advocacy

Cc: Brett Ludwig, Vice President for Communications and Public Affairs
Katherine Lavinder, Vice President for Student Affairs
Edward Lopez, President of Student Senate

¹⁸ *Clubs & Organizations*, LEHIGH UNIV., <https://www2.lehigh.edu/student-life/clubs-and-organizations> [<https://perma.cc/PY7B-BNX2>].

¹⁹ Among the many recognized student groups at Lehigh are College Democrats and College Republicans, which have opposing views. Some people also take offense and umbrage to the term "Latinx," so the Latinx Student Alliance would not survive under this arbitrary scheme.