



May 12, 2026

Third Party Comment
Middle States Commission on Higher Education
3264 Market Street, Second Floor
Philadelphia, Pennsylvania 19140

Re: Lafayette College

Sent via MSCHE Complaints and Third-Party Comments Form

To the Middle States Commission on Higher Education:

FIRE, a nonpartisan nonprofit that defends free speech,¹ submits this complaint as both a third-party comment and in support of any student complaint concerning Lafayette College. Enclosed, please find all relevant correspondence between FIRE and Lafayette.²

Lafayette, an institution accredited by the Commission, is not in compliance with Standard II of the Standards for Accreditation and Requirements of Affiliation. Standard II requires that an accredited institution “possesses and demonstrates . . . a commitment to academic freedom, intellectual freedom, [and] freedom of expression” and that the institution in “all activities, whether internal or external, . . . honor its contracts and commitments, [and] adhere to its policies[.]”³ Lafayette violates this standard by imposing guilt-by-association punishment upon every student in its Greek Life system—approximately 600 fraternity and sorority members—for expression protected by the college’s free speech policies.

On November 12, 2025, Lafayette hosted a Wellness 101 event attended by nearly all the college’s fraternity and sorority members.⁴ During the event, administrators asked students to

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

² Also available here: <https://www.fire.org/cases/lafayette-college-administration-suspends-fraternities-and-sororities-anonymous-student>.

³ *Standards for Accreditation and Requirements of Affiliation*, Requirements of Affiliation, Standard II - Ethics and Integrity, MIDDLE STATES COMM’N ON HIGHER ED., https://www.msche.org/standards/#standard_2 [<https://perma.cc/6CD8-778G>].

⁴ Our recitation of the facts is based on our correspondence with the students and groups involved in this matter and the following public reporting: Benjamin White & Elisabeth Seidel, *Fraternity, sorority social events halted after alleged antisemitic, sexist remarks*, THE LAFAYETTE (Dec. 5, 2025), <https://lafayettestudentnews.com/186497/news/final-no-photo-fraternity-sorority-social-events-halted-after-alleged-antisemitic-sexist-remarks>; Benjamin White, *Fraternity and sorority life social events still*

anonymously answer questions on their phones. Their answers would appear on a large screen in the center of the room. One question asked, “What’s keeping you from better organizing or maintaining your finances?” to which one unidentified student responded: “Jews.”

In response, on December 1, Lafayette announced an indefinite suspension of “all fraternity- and sorority-related social events, events with alcohol, and spinnings [(the social philanthropy events meant to introduce first year students to fraternities and sororities)],” as well as “[s]ocial recruitment events ... until the full membership of the chapter[s] satisfactorily completes an in-house educational program developed by College professionals regarding the topics and issues that are related to this incident.” The college claimed that “the community as a whole is unfortunately subject to the consequences of this incident due to the severity of the conduct and the presence of a significant portion of the student body.” In a February 26, 2026, letter to FIRE, Lafayette stated its collective punishment was consistent with its “Policy on Equal Opportunity, Harassment, and Non-Discrimination,” and “necessary to address the effects of the incident on the impacted individuals and community at large” because the student speech was “unacceptable and hurtful.”⁵

Lafayette’s written commitments to protect students’ expressive rights align with Standard II.⁶ But its choice to punish hundreds of students for the anonymous speech of a single individual represents a stark departure from both the college’s strong protections for student rights and from Standard II’s requirement that accredited institutions protect free expression.

This single anonymous student’s commentary—even if widely considered offensive—at the college event is clearly protected by Lafayette’s commitments and obligations. Any reasonable conception of free expression encompasses adult college students’ right to express views that may offend students and administrators but that do not rise to the level of punishable harassment and discrimination.⁷ Indeed, Lafayette did not bring disciplinary charges or hold hearings for *any* student present at the incident; instead, it punished all of them without a hearing, based solely on the subjectively offensive expression at this event, rather than for any unprotected misconduct.⁸

halted, THE LAFAYETTE (Feb. 20, 2026), <https://lafayettestudentnews.com/187817/news/fraternity-and-sorority-life-social-events-still-on-pause>.

⁵ Letter from Lafayette to Zach Greenberg, FIRE (Feb. 26, 2026) (enclosed).

⁶ The college proclaims: “Freedom of inquiry and freedom of expression are indispensable to the attainment of the goals of Lafayette College;” “Students and student organizations are free to examine and to discuss all questions of interest to them and to express opinions publicly and privately,” adding that “[t]hey are free to support causes by orderly means, including any means of peaceful assembly or advocacy, which do not interfere with or disrupt the operations of the College.” *Statement of rights and responsibilities of students*, LAFAYETTE COLL., <https://conduct.lafayette.edu/student-handbook/statement-of-rights-and-responsibilities-of-students> [<https://perma.cc/X3JM-BKV9>].

⁷ See Letter from Greenberg to Lafayette. (December 22, 2025) (enclosed); Letter from Greenberg to Lafayette (Mar 9, 2026) (enclosed).

⁸ In a December 1 email to the groups, Director of Institutional Equity & Title IX Coordinator Karen Salvemini criticized students’ “numerous inappropriate and offensive comments” and “antisemitic language, sexist language, and disrespectful and harmful comments about a variety of topics and identity groups.” Email from Karen Salvemini, Director of Institutional Equity & Title IX Coordinator, to Lafayette fraternities and sororities (Dec. 1, 2025) (enclosed).

Even if the anonymous individual’s speech could be considered punishable harassment or discrimination (it cannot), Standard II requires Lafayette to refrain from punishing students who did not write the offending words and therefore simply did not commit any offense. Yet the college admits to sanctioning “the community as a whole” because “a significant portion of the student body” witnessed the expression—regardless of which student or students submitted the offending responses. A commitment to protecting free speech forecloses discipline due to the expression of others.

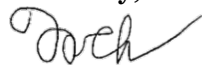
Additionally, by punishing every member of Greek Life in an effort to “address the effects of the incident on the impacted individuals and community at large,” Lafayette admits to punishing the *victims* of the alleged misconduct, including the very students who complained about the speech. This retaliation against complaining students is a further violation of the expressive rights safeguarded by Standard II.

FIRE diligently sought to resolve this matter before seeking the Commission’s intervention. We wrote Lafayette detailing our objections on December 22, 2025. The college responded on February 26 but refused to lift its suspension. FIRE reiterated our concerns on March 9, to which Lafayette again rejected our request and stated that at least one of the groups remains suspended as of May 11. Lafayette’s ongoing suspension demonstrates that it will continue to punish students for protected speech.

Accrediting agencies, including the Commission, are often the last line of defense for students’ freedom of expression at institutions of higher education. The Commission’s Standard II is one of the strongest protections for student expression at private institutions in the United States. Institutions should take it seriously and correct departures from that standard when brought to their attention. Lafayette’s refusal to bring its conduct in line with Standard II despite efforts at resolution merits the Commission’s attention, as it has when other institutions have departed from a commitment to freedom of expression.⁹

If FIRE may be of assistance in providing further information or clarification, please do not hesitate to contact me at zach.greenberg@fire.org or 215-717-3473 (ext. 222).

Sincerely,



Zach Greenberg
Director of Faculty Legal Defense, Campus Rights Advocacy

CC: Nicole Hurd, President
Sarah Moschenross, Vice President for Student Life
Timothy D. Cedrone, General Counsel

⁹ For example, the Commission cited administrators’ intolerance for criticism, in apparent breach of Standard II, as a basis to open an inquiry into a recently reaccredited institution. Susan Svrluga, *Mount St. Mary’s University president resigns*, WASH. POST (Feb. 29, 2016), <https://www.washingtonpost.com/news/grade-point/wp/2016/02/29/mount-st-marys-future-direction-on-the-table-as-leaders-meet-today>.