

September 11, 2026

Teresa Abi-Nader Dahlberg
Office of the President
The University of Tampa
401 W. Kennedy Blvd., Box A
Tampa, Florida 33606-1490

Sent via U.S. Mail and Electronic Mail (president@ut.edu)

Dear President Dahlberg:

FIRE, a nonpartisan nonprofit that defends freedom of speech,¹ is concerned by the University of Tampa's ban on students affiliating with unrecognized student groups. This ban unduly restricts students' freedom of speech and association and must be rescinded.

On August 28, Director of Fraternity and Sorority Life Armando Rijo ordered unaffiliated chapters of the Theta Chi and Alpha Sigma Phi fraternities to immediately cease "[r]ecruiting or soliciting University students" and "[o]perating, organizing, or conducting fraternity or organizational activities involving University students."² He stated that the groups are "recruiting and engaging with University of Tampa students" by "organizing and promoting the organization through social media and other communications as a legitimate fraternity or organizational option for university students..."³

This directive reflects a new university policy, effective August 1, intended "to prohibit student involvement with organizations that operate without university recognition."⁴ The policy bans students from "[j]oining, maintaining active membership in, recruiting for, or providing Material Support to a Registered Student Organization" that has been suspended or expelled for misconduct, as well as any "organization that recruits University students and functions as a fraternity, sorority, club, society, or other student organization without University

¹ For more than 25 years, FIRE has defended freedom of 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 Armando Rijo, Dir. of Fraternity and Sorority Life, to Theta Chi Fraternity chapter leadership (Aug. 28, 2026) (on file with author). UTampa sent a similar letter to the Alpha Sigma Phi fraternity. The recitation here reflects our understanding of the pertinent facts. We appreciate that you may have additional information to offer and invite you to share it with us.

³ *Id.*

⁴ *Id.*

recognition or in circumvention of University oversight requirements.”⁵ The policy further bans “[p]roviding Material Support to, sponsoring, co-sponsoring, partnering with, promoting, facilitating, hosting, or otherwise assisting” these groups.⁶ This new policy bans a host of protected expressive activities and fails to provide students with reasonable notice of what words or conduct would violate it.

UTampa provides that a “student has the right to a constructive learning environment, where the open and honest exchange of ideas may freely occur.”⁷ The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), which accredits UTampa, requires accredited institutions to recognize “the right of students to access opportunities for learning and for the open expression and exchange of ideas.”⁸ Students reading these policies would reasonably expect the university to protect their expressive rights as informed by First Amendment jurisprudence.

A necessary component of free speech is freedom of expressive association, which protects the “right to associate with others in pursuit of a wide variety of political, social, economic, educational, religious, and cultural ends.”⁹ This freedom extends to UTampa students, protecting their right to associate not only with recognized student groups, but also with social groups off campus.¹⁰ UTampa’s authority to regulate organizations that contain students is limited by its affiliation with these groups. When recognized groups violate institutional rules, the university may punish them by revoking institutional privileges. But UTampa has no jurisdiction over unaffiliated fraternities, just as it has no jurisdiction over unaffiliated local sports leagues, theater ensembles, or religious groups.

Nor may UTampa, consistent with its own commitment to free expression, prohibit students’ association with such community groups. Yet, the university’s new rule forbidding association with “clubs” and “societies” could reasonably be interpreted to not only ban membership in Theta Chi, but also in Radiant Church, Tampa Oratorio Singers, or the Tampa Yacht Club. The university must allow its students to exercise their expressive right to affiliate with local social groups, including unrecognized Greek organizations, just as it must allow students to associate with any other organization unaffiliated with the university.

⁵ *Student Code of Conduct University Policies*, Personal Responsibility, UNIV. OF TAMPA, <https://www.ut.edu/campus-life/student-services/office-of-student-conduct/student-code-of-conduct-university-policies> [<https://perma.cc/3K29-FHDD>].

⁶ *Id.*

⁷ *Required Syllabus Disclosures*, Class Disruption Statement, UNIV. OF TAMPA, <https://www.ut.edu/academics/center-for-teaching-and-learning/required-syllabus-disclosures> [<https://perma.cc/C6Y6-CHQT>].

⁸ *The Principles of Accreditation*, Philosophy of Accreditation, SACSCOC, 4 (2024), <https://sacscoc.org/app/uploads/2024/01/2024PrinciplesOfAccreditation.pdf> [<https://perma.cc/3WT8-H756>].

⁹ *Roberts v. U.S. Jaycees*, 468 U.S. 609, 622 (1984); *see also, e.g., NAACP v. Claiborne Hardware Co.*, 458 U.S. 886, 888 (1982) (“[T]he First Amendment restricts the ability of the State to impose liability on an individual solely because of his association with another.”).

¹⁰ *See Evans v. Newton*, 382 U.S. 296, 298 (1966) (discussing “the right of the individual to pick his own associates so as to express his preferences and dislikes, and to fashion his private life by joining such clubs and groups as he chooses”).

Additionally, it is unclear what university interest this policy serves. UTampa's proscription on "Material Support, ... promoting, facilitating, ... or otherwise assisting" unrecognized groups,¹¹ means students may face punishment for benign expressive activities including organizing political protests,¹² wearing certain Greek letters,¹³ and hosting philanthropic events,¹⁴ as well as mundane endeavors such as attending library hours, group meals, and organizational rituals. Further, the policy extends to *all* unrecognized social groups, and to students merely promoting or "materially assisting" such groups without joining them, regardless of any history of misconduct. For example, the Alpha Sigma Phi chapter has never faced misconduct allegations, and the Theta Chi chapter has not had any since 2018, yet UTampa has banned both groups from recruiting students. None of these activities have any cognizable connection to the university or impact on student well-being.

Even if the policy did further legitimate university interests, it would still fail to provide students with meaningful guidelines about what speech or conduct violates the ban. University rules, as a matter of basic fairness, should give a student of "ordinary intelligence a reasonable opportunity to know what is prohibited, so that he may act accordingly."¹⁵ Yet UTampa's ban on students providing "Material Support to, sponsoring, co-sponsoring, partnering with, promoting, facilitating, hosting, or otherwise assisting" unrecognized groups suffers from a lack of clarity as to what activities are prohibited.¹⁶ This lack of clarity renders it impermissibly vague, which could result in a chill on student free speech rights.¹⁷

Compounding the vagueness problem is the unknowable number of groups the university classifies as an "organization that recruits University students and functions as a fraternity, sorority, club, society, or other student organization without University recognition."¹⁸ This might encompass an unlimited number of groups in the local Tampa community that interact with university students, including political, religious, and social organizations. These undefined restrictions will deter students from associating with a host of outside groups, to the detriment of expressive rights and the quality of student life at UTampa.

¹¹ *Student Code of Conduct*, *supra* note 5.

¹² See *Buckley v. Am. Const. L. Found.*, 525 U.S. 182, 186–87 (1999) (the First Amendment's protection is "at its zenith" when political speech is at issue) (internal quotations and citations omitted).

¹³ *Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 505–06 (1969) (the First Amendment protects students' expressive clothing).

¹⁴ See generally *Reed v. Town of Gilbert*, 576 U.S. 155, 163 (2015) (content-based restrictions "are presumptively unconstitutional" and must satisfy strict scrutiny); *Iota Xi Chapter of Sigma Chi Fraternity v. George Mason Univ.*, 993 F.2d 386, 389–90, 392 (4th Cir. 1993) (the First Amendment protects students' distasteful and offensive expressive events).

¹⁵ *Grayned v. City of Rockford*, 408 U.S. 104, 108–09 (1972) ("Vague laws may trap the innocent by not providing fair warning.").

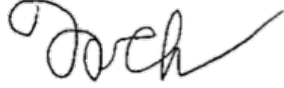
¹⁶ *Student Code of Conduct*, *supra* note 5.

¹⁷ *The UWM Post, Inc. v. Bd. of Regents of Univ. of Wis. Sys.*, 774 F. Supp. 1163, 1178 (E.D. Wis. 1991); see also *Dambrot v. Central Mich. Univ.*, 55 F.3d 1177, 1184 (6th Cir. 1995) (finding university racial harassment policy prohibiting "negative" and "offensive" speech impermissibly vague and overbroad); *Booher v. Bd. of Regents, N. Ky. Univ.*, 1998 WL 35867183, at *9 (E.D. Ky. July 22, 1998) (university sexual harassment policy impermissibly vague because subjective language failed to give students notice of what was prohibited).

¹⁸ *Student Code of Conduct*, *supra* note 5.

While UTampa is free to *discourage* students from associating with unrecognized groups, it may not *ban* them from doing so. FIRE would be pleased to work with your administration to revise this policy to further UTampa's interests and protect students' expressive rights, free of charge, per our charitable mission.¹⁹ We request a substantive response to this letter no later than the close of business on September 25, 2026, confirming UTampa will allow students to affiliate with unrecognized student groups.

Sincerely,



Zachary Greenberg
Director of Faculty Legal Defense, Campus Rights Advocacy

Cc: Armando Rijo, Director of Fraternity and Sorority Life
Jennifer Scaia, Associate Vice President, Student Affairs & Dean of Students
Stephanie Krebs, Vice President, Student Affairs and Strategic Initiatives

¹⁹ FIRE successfully worked with the University of California, Santa Barbara to revise a similarly broad ban on students associating with unrecognized groups. *University of California, Santa Barbara: Fraternities and Sororities Banned from Associating with Unrecognized Organizations*, FIRE, <https://www.fire.org/cases/university-california-santa-barbara-fraternities-and-sororities-banned-associating> (last visited Sept. 2, 2026).