FIRE
Foundation for Individual Rights and Expression

November 2, 2026

Dr. Betsy Cantwell
Office of the President
Washington State University
PO Box 641048
Pullman, Washington 99164

Sent via Electronic Mail (president@wsu.edu)

Dear President Cantwell:

FIRE, a nonpartisan nonprofit that defends free speech,[1] is concerned by Washington State University's "Student Belonging and Success Initiative," which, beginning in the spring 2027 semester, will prevent students from joining a fraternity or sorority during their first semester.[2] According to WSU, this initiative is intended to "help students identify their interests and goals, orient to campus life and make informed decisions about how they want to engage, connect, and contribute as members of the Cougar community."[3] However, a blanket ban on students' ability to join Greek organizations during their first semester improperly restricts their First Amendment right to freedom of association. Accordingly, we urge WSU to rescind this deferred recruitment policy so all students can enjoy the same associational rights.

As a public institution bound by the First Amendment,[4] WSU's actions, along with its policies, must not violate students' freedom of association. Freedom of association "has, for centuries, been at the heart of the American system of government and individual rights,"[5] protecting the "right to associate with others in pursuit of a wide variety of political, social, economic,

[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] *Student Belonging and Success Initiative*, Wash. State Univ., https://provost.wsu.edu/initiatives/student-belonging-and-success-initiative/ [https://perma.cc/2K9F-LW4R] ("Under the initiative, students would be eligible to join a fraternity or sorority after completing their first semester and meet eligibility requirements.").

[3] *Id.*

[4] *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).

[5] *6th Cong. Dist. Republican Comm. v. Alcorn*, 913 F.3d 393, 401 (4th Cir. 2019).

educational, religious, and cultural ends."[6] At public universities like WSU, both students and student organizations, including Greek organizations and the students who may wish to join them, are entitled to this fundamental freedom.[7] The rights to freedom of speech and association are so closely intertwined because, as the Supreme Court has recognized, "the right to speak is often exercised most effectively by combining one's voice with the voices of others."[8] The First Amendment, therefore, "shields against laws that make group membership less attractive"[9] and furthermore protects university students' right to host recruitment, social, and other expressive events.

WSU's ban on students' association with Greek organizations during a student's first semester severely burdens these rights.[10] Nor is it self-evident that this initiative advances the university's stated interest to "help students identify their interests and goals" or make "informed decisions" about their associations when first-semester students remain free to join *any other* social, political, religious, or philanthropic student organization on campus.[11] Associating with Greek organizations has been shown to increase student academic engagement, campus involvement, and satisfaction with university life,[12] and WSU itself boasts that Greek life "has had a rich and rooted role in campus culture and continues to make men better men and women better women" and "challenges students to become responsible,

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[6] *Roberts v. U.S. Jaycees*, 468 U.S. 609, 622 (1984); *see Boy Scouts of Am. v. Dale*, 530 U.S. 640, 648 (2000) (freedom of association is "not reserved for advocacy groups" and protects even those groups that do not "associate for the purpose of disseminating a certain message").

[7] *Iota Xi Chapter v. Patterson*, 538 F. Supp. 2d 915, 923 (E.D. Va. 2008) (a college fraternity that "adequately described its institutional mission to inculcate its members with certain leadership skills and community values" has expressive associational rights under the First Amendment); *accord Alpha Delta Chi-Delta Chapter v. Reed*, 648 F.3d 790, 797 n.2 (9th Cir. 2011) ("San Diego State does not dispute that Alpha Delta Chi and Alpha Gamma Omega engage in expression, so we proceed on the assumption that Plaintiffs may invoke their right to expressive association."); *Chi Iota Colony of Alpha Epsilon Pi Fraternity v. City Univ. of N.Y.*, 443 F. Supp. 2d 374, 392 (E.D.N.Y. 2006) ("[D]efendants do not dispute that the Fraternity is an expressive association, and this classification is reasonably supported."), *vacated on other grounds*, 502 F.3d 136 (2d Cir. 2007); *Sigma Lambda Upsilon/Senoritas Latinas Unidas Sorority, Inc. v. Rector & Visitors of Univ. of Va.*, 503 F. Supp. 3d 433, 444 n.5 (W.D. Va. 2020) ("In this case, the moving defendants do not dispute that … [Sigma Lambda Upsilon] engages in expressive association for purposes of the First Amendment.").

[8] *Rumsfeld v. Forum for Acad. & Inst. Rights, Inc.*, 547 U.S. 47, 68 (2006); *see also Dale*, 530 U.S. at 649–50.

[9] *U.S. Citizens Ass'n v. Sebelius*, 705 F.3d 588, 600 (6th Cir. 2013).

[10] By banning students from joining Greek organizations until after their first semester, WSU's deferred recruitment policy violates students' right to join the groups of their choosing. *See* Zach Greenberg, *Virginia Commonwealth University plans to violate the First Amendment rights of thousands of students with deferred recruitment policy*, FIRE (July 26, 2022), https://www.thefire.org/news/virginia-commonwealth-university-plans-violate-first-amendment-rights-thousands-students (explaining how restrictions on recruitment and association violate student expressive rights).

[11] *See Organizations,* WASH. STATE. UNIV., https://wsu.presence.io/organizations [https://perma.cc/CLV5-4K64] (last visited Oct. 30, 2026).

[12] *See* Gary Pike & Dawn Wies, *The Fraternity/Sorority Experience Revisited: The Relationships between Fraternity/Sorority Membership and Student Engagement, Learning Outcomes Grades, and Satisfaction with College, Learning Outcomes, Grades, and Satisfaction with College*, J. CAMPUS ACTIVITIES PRAC. & SCHOLARSHIP (2024), https://files.eric.ed.gov/fulltext/EJ1419700.pdf (survey demonstrating the positive effects on Greek group membership on learning outcomes, campus engagement, and satisfaction with college, particularly for first-semester students); Paul Kittle, *A Review of Deferred Recruitment*, AUBURN UNIV. DIV. OF STUD. AFFS. (Jan. 28, 2011), https://studylib.net/doc/8846405/a-review-of-deferred-recruitment (recommending against Auburn University adopting a deferred recruitment policy because it would fail to address the underlying issues affecting Greek life).

reflective and engaged citizens and leaders committed to lifelong learning."[13] Given this context, the ban on association with Greek organizations alone appears to be solely motivated by animus against those organizations, their message, and their members. And discriminating against student organizations because of their mission, ideas, or values is "an egregious form" of censorship, fundamentally at odds with the principles of free expression.[14]

We invite WSU to consider the work of the University of Maryland's working group on fraternity and sorority life which, after reviewing that university's own deferred recruitment policy, recommended rescinding the policy for incoming fall 2026 students.[15] The working group noted that the vast majority of public Big Ten and large, land-grant universities permit first-semester students to affiliate with fraternities and sororities,[16] and, importantly, determined that there was "no conclusive evidence linking the deferred affiliation policy to improved academic performance or enhanced student safety."[17]

While the deferred recruitment aspect of WSU's Student Belonging and Success Initiative offers scant hope of promoting students' belonging and success, it both directly and concretely infringes upon its students' associational rights. Trading away students' fundamental rights for what is at best an ill-defined and unlikely benefit is not a decision WSU is lawfully permitted to make. FIRE therefore urges WSU to rescind its planned prohibition on first-semester students joining Greek organizations. We request a substantive response to this letter no later than the close of business on November 9, 2026. We have worked with many universities to revise their policies so that they may meet their legitimate interests without impairing students' rights. Should WSU be interested, FIRE would be pleased to assist your administration in similarly revising this policy, free of charge and in accordance with our charitable mission.

Sincerely,



Noah Young
Program Counsel, Policy Reform

Cc: Adam Malcolm, Senior Assistant Attorney General, Division Chief
T. Chris Riley-Tillman, Provost and Executive Vice President
Sandra Haynes, Executive Vice President for WSU Statewide Campuses
Dan Welter, Center for Fraternity and Sorority Life Director

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[13] *Department Spotlight: Center for Fraternity & Sorority Life (CFSL)*, Wash. State Univ. (Oct. 13, 2016), https://news.wsu.edu/announcements/department-spotlight-center-fraternity-sorority-life-cfsl/ [https://perma.cc/7TR2-AKC2].

[14] *Rosenberger v. Rector & Visitors of the Univ. of Va.*, 515 U.S. 819, 829 (1995) (citing *Perry Ed. Ass'n v. Perry Local Educators' Ass'n.*, 460 U.S. 37, 62 (1983) (Brennan J., dissenting).

[15] *Building a Stronger, Safer, More Inclusive Community,* Working Group Recommendations & DFSL Three-Year Review Plan, UNIV. OF MD., https://fsl.umd.edu/transformation-initiative [https://perma.cc/64DM-7ESA]. UMD's deferred recruitment policy had been in place since 1995.

[16] *University of Maryland Fraternity and Sorority Transformation, IFC/PHA Working Group Final Report,* 31, (May 9, 2025), https://fsl.umd.edu/sites/default/files/2025-06/IFC%20%26%20PHA%20Final%20Working%20Group%20Report%20-%20May%202025-compressed.pdf.

[17] *Id.*