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**\*\*OPEN LETTER\*\***

**Re: The Truth About the First Amendment Rights of Students on Campus**

**TO: American Universities, Public and Private  
American Colleges, Public and Private  
American High Schools, Public and Private**

**FROM: Kim Hermann, President of the Southeastern Legal Foundation**

The public assassination of Turning Point USA Founder Charlie Kirk is known to all in the education community, here in America, and around the world. The reason is simple: Charlie was killed on a college campus while using his First Amendment Right to free speech, guaranteed under the US Constitution.

September 17th was also National Constitution Day, just a week to the day after Charlie Kirk was killed. We cannot overlook this timing because Charlie's death marks a time to stand up and speak out in support of our uniquely American constitutional rights. Charlie Kirk died for peacefully talking at a college. The right to free speech in America is guaranteed for each and every one of us, regardless of our race, gender, color, religion, zip code, or political party.

**American universities, colleges, and high schools now have a unique role in responding to Charlie's murder.** At minimum, you are the sites of TPUSA Chapters; and recent reports suggest these chapters are growing by tens of thousands in the days after his death. Charlie's widow, Erika Kirk, called on all Americans to never let his voice go silent by having thousands of people follow in his footsteps, and students are responding!

For those of you who are trusted to run universities, colleges, and high schools - both public and private - this means you must work harder than ever before to understand students' right to use free speech on your campus, regardless of their political persuasion. **You cannot censor it, charge it a higher fee, or label it "hateful"** just because it may sound like a political view you don't support.

The Framers recognized that the right to speak freely is inalienable and cannot be taken away, unless speech meets very narrow criteria such as inciting violence. **Specifically, this letter is to formally put you on notice that if you do not read up on your students' constitutional right to free speech now, you fail to do so at your own legal peril.** Any sloppy actions to limit speech on campus or not approve TPUSA chapters, or give them, or similar conservative groups, larger "fines" or "administrative fees" or "security fees" will end you up in a lawsuit.



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Southeastern Legal Foundation has demonstrated we are ready, willing, and able to go to court on behalf of brave students' First Amendment rights.

Do you know how hard it is to speak up on campus right now? Students are so afraid. We get calls all the time. Students tell us how leftist professors and teachers will openly humiliate them in class or on campus if they express even one contradictory view or wear a t-shirt from a group they dislike. Civilized debate has been replaced in too many places on campuses with open bullying from radicalized grownups who are supposed to be educating the very students they battle. What an embarrassment. You should be ashamed if this is the repressive environment being fostered at your school, and it is your duty to investigate immediately what exactly the environment is for your students.

Yet, in spite of all of the pressure and suppression on campuses, students still rise. They stand up. They take the microphone in a public place. They ask to gather and debate ideas. They apply with you to form new TPUSA chapters or College Republican clubs or Young America's Foundation chapters. They ask you if they can discuss openly how maybe, just maybe, their professor is not the all-knowing alpha-and-omega person that they make themselves out to be. A brave generation is rising up!

Your response to the voices of these students, as institutions of higher learning, should be to support this uniquely American action they take to think critically, to ask hard questions, to debate tough topics. You should be thrilled by the choice they make to be intellectuals in a world that is often boiled down into trite hashtags and social media posts within arbitrary word limits for short attention spans.

And even if you cannot conjure up the mature professionalism to applaud the students that stand to peacefully debate, discuss and disagree, **SLF wants you to know that you are legally required by the US Constitution to protect their free speech on campus.**

We are giving [parents](#) and [students](#) the resources they need to push back against any actions by your school to limit their constitutional rights. We are also urging them to contact us directly - at [info@southeasternlegal.org](mailto:info@southeasternlegal.org) or @SLF\_Liberty on [X.com](#) - when they believe their First Amendment rights have been violated.

Our organization has fought and won these types of cases against hundreds of colleges and universities across the country before, and we will do it again.

- At [Westfield State University](#) in Massachusetts, we fought and got the TPUSA chapter recognized after the student government rejected the students' application because of



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TPUSA's conservative values and the alleged "stress" the SGA claimed its presence could cause.

- At the [University of New Mexico](#) (UNM), we fought and won a case where the university sought to charge an absurdly steep "security fee" to host an event with Riley Gaines.
- At the [University of North Georgia](#) (UNG), we fought for students to be able to use the pronouns of "he" or "she" without facing claims of alleged "sexual harassment" by the university.

As a reminder, President Trump has reversed the Biden Administration's Title IX policies that many colleges and universities used as a hammer against free speech, and that SLF stopped with a lawsuit on behalf of Moms for Liberty and Young America's Foundation. We have documented cases where some of you sought to regulate the pronouns students would use with one another to the point where many of them felt afraid to use "he" or "she" at all. That day is over. Scrub your policies now because we are doing our own investigation into schools where anti-First-Amendment policies remain.

We believe that the call of our organization in the aftermath of last week's political assassination should continue to be ambassadors for truth, goodness, freedom, and peace. The truth is, the First Amendment is a major part of what makes us America. We will not sleep and we will not stutter when we rise to defend those students who are silenced unconstitutionally in the very places where they should be respected and protected.

We cannot bring Charlie back to life, but we can defend the unalienable rights endowed by our Creator in every American. Our hope and prayer is that you will join us in this mission, and if not, we will see you in court.

Yours in Freedom,

*Kim Hermann*

President, Southeastern Legal Foundation