



FIRE

Foundation for Individual
Rights and Expression

April 28, 2023

Paul Alivisatos
Office of the President
University of Chicago
Edward H. Levi Hall
5801 South Ellis Avenue, Suite 501
Chicago, Illinois 60637

URGENT

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

Dear President Alivisatos:

FIRE¹ is concerned that the University of Chicago denied student group recognition to a campus chapter of Turning Point USA because the group is too similar to an existing one, the College Republicans.² While both groups promote conservative causes, their respective missions differ significantly. TPUSA's denial thus appears to constitute viewpoint discrimination, given that UChicago has more than 400 recognized student organizations, many of which share comparably similar goals. As the originator of the Chicago Statement, the gold-standard policy committing the university to maximal free expression for students and faculty,³ UChicago must reverse this denial and reconsider TPUSA's application in a viewpoint-neutral manner.

Our concern arises out of the application submitted by UChicago student Chris Phillips to the Committee on Recognized Student Organizations (CORSO) on December 2 to seek registered student organization status for a campus chapter of TPUSA.⁴ Phillips stated in the application that TPUSA differs from the College Republicans because, while both may hold conservative

¹ As you may recall from prior correspondence, FIRE has defended freedom of expression, conscience, and religion, and other individual rights on America's college campuses for more than 20 years. You can learn more about our recently expanded mission and activities at thefire.org.

² Email from Jiayi Yue, Chair, Committee on Recognized Student Organizations, to Christopher Phillips, President, TPUSA (Jan. 21, 2023, 6:03 PM) (on file with author). The facts here reflect our understanding of the pertinent information. We appreciate that you may have additional information to offer and invite you to share it with us.

³ *Report of the Committee on Freedom of Expression*, UNIV. OF CHI., <https://provost.uchicago.edu/sites/default/files/documents/reports/FOECommitteeReport.pdf>.

⁴ TPUSA application for RSO status (on file with author).

viewpoints, the College Republicans’ mission is to engage in internal conversations about conservative political views and to advocate for Republican candidates, whereas TPUSA aims to externally advocate for “liberty and freedom.”⁵ On January 16, CORSO Chair Jiayi Yue told Phillips CORSO would deny recognition to the TPUSA chapter,⁶ and later specified that the committee’s “main concern” was it did not “see a sufficient difference between” TPUSA and “the existing College Republican RSO as well as the work that the [UChicago Institute of Politics] currently does.”⁷ On appeal, UChicago’s Center of Leadership and Involvement affirmed CORSO’s decision.⁸

But as an institution committed to free expression, UChicago cannot deny organizations recognition due to alleged similarities to already existing groups. UChicago promises students that “freedom of expression is vital to our shared goal of the pursuit of knowledge.”⁹ Accordingly, they reasonably expect commensurate expressive and associational rights to those enshrined in the First Amendment. And in that connection, the Supreme Court has held universities must distribute funding for student groups in a viewpoint-neutral manner, emphasizing that: “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.”¹⁰ The committee’s justification that TPUSA is too similar to another campus group suggests a double standard when considered in the context of UChicago’s other recognized organizations,¹¹ which leads FIRE and the TPUSA chapter to believe it was denied recognition based on its viewpoint rather than apparent similarity to other groups.

By way of comparison, UChicago officially recognizes both an Association of Women in Mathematics and a Society of Women+ in Math, both of which aim to support women in the mathematics field. It also recognizes both a Chinese Students and Scholars Association and a Chinese Undergraduate Students Association, as well as a Taiwanese American Student Association and a Taiwanese Student Association. It additionally recognizes a multitude of groups dedicated to environmentalism and sustainability: Phoenix Sustainability Initiative, Environmental Law Society, Environmental Research Group, Environmental Justice Task Force, each of which has its own mission to achieve the same goal. On LGBTQ+ issues, UChicago recognizes both The Organization of LGBTQ+ Students and UChicago Plus.

Thus, in other cases, UChicago clearly recognizes the unique, nuanced contributions each student organization makes to the community, even in cases where their broader interests may overlap—to the ultimate benefit of all UChicago students. The vast number of student groups recognized by UChicago is a testament to the diversity of its student body. While

⁵ *Id.*

⁶ Email from Yue to Phillips (Jan. 16, 2023, 9:01 AM) (on file with author).

⁷ Email from Yue to Phillips, *supra* note 2.

⁸ Email from Karen Pryor, Assoc. Dir., Center for Leadership & Involvement, to Christopher Phillips (Jan. 26, 2023, 3:58 PM) (on file with author).

⁹ *Protests and Demonstrations Policy*, UNIV. OF CHI., <https://studentmanual.uchicago.edu/student-life-conduct/protests-and-demonstrations-policy>.

¹⁰ *Bd. of Regents of the Univ. of Wisc. Sys. v. Southworth*, 529 U.S. 217, 233 (2000).

¹¹ *See Organizations*, UNIV. OF CHI., [available at https://blueprint.uchicago.edu/organizations](https://blueprint.uchicago.edu/organizations).

administrators may not agree with the viewpoints or expressive activities of all these groups, their existence is made possible by decades of capable administrators fostering a diverse and vibrant collection of student clubs. But this presents the question why UChicago will not also recognize two conservative-leaning organizations with diverging focuses.

If CORSO and CLI did, in fact, deny TPUSA recognition based solely on supposed similarity to the College Republicans, a closer look at TPUSA and the College Republicans is warranted and reveals substantial differences between their respective purposes and goals. College Republicans' mission is to "discuss" and "shape" current events among conservatives. Its mission is internally focused, including engaging in "events like bowling and political trivia." TPUSA's mission is externally focused, aiming to bring speakers to campus, and involves less advocacy on political candidates and political views than does that of the College Republicans.

CORSO's and CLI's conflation of TPUSA and the College Republicans makes the unwarranted judgment that members of one group would be equally satisfied in the other. It also presumes the College Republicans would be freely willing to change its structure and mission to accommodate TPUSA's goals and ideas. Singling out TPUSA as between the two groups also suggests impermissible viewpoint-based decision-making, which "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."¹² As the Supreme Court made clear, "[v]iewpoint discrimination is censorship in its purest form and government regulation that discriminates among viewpoints threatens the continued vitality of 'free speech.'"¹³

For all these reasons, UChicago's denial of recognition to TPUSA violates the university's explicit commitment to free expression and must be reversed. FIRE, and many across the country, consider UChicago the gold standard for free speech and association on campus, and we hope its denial of recognition was in error rather than a viewpoint discriminatory decision that would reflect negatively on the university.

We request a substantive response to this letter no later than the close of business on Friday, May 5, 2023, confirming that UChicago will reverse its decision and reconsider TPUSA's application using viewpoint-neutral criteria.

Sincerely,



Sabrina Conza
Program Officer, Campus Rights Advocacy

Cc: Karen Chang Pryor, Associate Director for Center for Leadership & Involvement

¹² *Rosenberger v. Rectors of the Univ. of Va.*, 515 U.S. 819, 836 (1995).

¹³ *Perry Educ. Ass'n v. Perry Local Educators' Ass'n*, 460 U.S. 37, 64 (1983).