



October 10, 2025

Aaron Wilson, Principal  
Natrona County High School  
930 S. Elm St.  
Casper, Wyoming 82601

*Sent via U.S. Mail and Electronic Mail (Aaron.Wilson@natronaschools.org)*

Dear Principal Wilson:

The Foundation for Individual Rights and Expression (FIRE), a nonpartisan nonprofit that defends free speech nationwide, is concerned by reports that Natrona County High School (NCHS) is restricting its Turning Point USA (TPUSA) Club America chapter's expressive activity and barring the club's leader from speaking to the media. These actions violate the First Amendment, which protects students' rights to free expression and association—protections that are at their strongest off school grounds.

Our concerns center around student Kylie Wall's recent formation of a TPUSA Club America chapter at NCHS.<sup>1</sup> Although you initially hesitated to approve a club associated with TPUSA, you ultimately allowed it, but cautioned Wall, "We have to be careful about this." You later informed her that the club could not meet with Kelly Walsh High School's TPUSA chapter or attend a dinner organized by the Wyoming Family Alliance recognizing all Natrona County TPUSA groups, on the ostensible ground that NCHS's chapter is not a "public club" and therefore cannot participate in any outside events. You also directed the event's organizer to "send all inquiries, requests and any other communication for the NC Club America Chapter to me directly."

Nevertheless, Wall and other members of the NCHS Key Club have attended meals hosted by Kiwanis International. Likewise, the high school football team recently attended a breakfast at the Boys and Girls Club of Central Wyoming.

When an Oil City News reporter sought to interview Wall, she informed you of the request, and

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<sup>1</sup> The narrative in this letter represents our understanding of the pertinent facts based on public reporting, but we invite you to share any additional information you may have. See Dale Killingbeck, *Casper Turning Point Leader Says High School Principal Is Stifling Free Speech*, COWBOY STATE DAILY (Oct. 7, 2025), <https://cowboystatedaily.com/2025/10/07/casper-tpusa-club-leader-says-high-school-principals-stifling-free-speech>.

you prohibited her from speaking to the reporter in your absence—even off school grounds on her own time—explaining you did not “want anything political associated with the school.” In a separate statement to the media, you said reporters must use the district’s public relations office to “set up school-based interviews with students and staff.” All these restrictions raise serious constitutional concerns.

## **I. NCHS’s Discriminatory Treatment of the TPUSA Club Is Unconstitutional**

Banning the TPUSA club from participating in outside events—especially when other student organizations may do so—is patently unconstitutional. It is well established that students do not check their First Amendment rights at the schoolhouse gate.<sup>2</sup> As the Supreme Court recently reaffirmed, “America’s public schools are ... nurseries of democracy.”<sup>3</sup> Administrators, accordingly, may restrict student speech only in limited circumstances, as they do not “possess absolute authority over their students.”<sup>4</sup>

To justify restricting student speech, school officials must meet the “demanding standard”<sup>5</sup> of showing it caused or was reasonably likely to cause a *material and substantial* disruption to school operations.<sup>6</sup> An “undifferentiated fear or apprehension of disturbance” is not enough.<sup>7</sup> Schools’ authority is even further “diminished” for student speech off school grounds, which falls “within the zone of parental, rather than school-related, responsibility.”<sup>8</sup> Courts “must be more skeptical of a school’s efforts to regulate off-campus speech, for doing so may mean the student cannot engage in that kind of speech at all.”<sup>9</sup> And schools retain a “strong interest” in preserving the “marketplace of ideas,” which includes protecting unpopular ideas, “especially when the expression takes place off campus.”<sup>10</sup>

Under these principles, NCHS cannot categorically forbid the TPUSA club from participating in events off school grounds when school is not in session. It is hard to imagine any legitimate reason to treat the TPUSA club differently from others NCHS allows to attend outside events. If this differential treatment stems from the club’s political views—as your telling Wall NCHS needs “to be careful” about the club and that you do not “want anything political associated

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<sup>2</sup> *Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 506 (1969).

<sup>3</sup> *Mahanoy Area Sch. Dist. v. B.L.*, 594 U.S. 180, 190 (2021).

<sup>4</sup> *Tinker*, 393 U.S. at 511, 513 (allowing restriction of student speech only where there is actual or reasonably forecasted material disruption of school operations or substantial invasion of the rights of others).

<sup>5</sup> *Mahanoy*, 594 U.S. at 193.

<sup>6</sup> See *Cl. G v. Siegfried*, 38 F.4th 1270, 1279 (10th Cir. 2022) (four emails from parents, an in-school discussion, and news reports about a student’s social media post of him and his friends wearing World War II attire in a thrift store, with the caption, “Me and the boys bout [sic] to exterminate the Jews” did not satisfy “*Tinker*’s demanding standard” of a “reasonable forecast” of material and substantial disruption).

<sup>7</sup> *Tinker*, 393 U.S. at 508. Since *Tinker*, the Court has recognized only “three specific categories of student speech that schools may regulate in certain circumstances.” *Mahanoy*, 594 U.S. at 187. None of those exceptions—lewd speech during a school assembly, speech promoting illegal drug use, and speech others may reasonably perceive as bearing the imprimatur of the school—apply here.

<sup>8</sup> *Mahanoy*, 594 U.S. at 189–91.

<sup>9</sup> *Id.* at 189–190.

<sup>10</sup> *Id.* at 190.

with the school” strongly suggest—it constitutes an especially serious violation of students’ First Amendment rights. Viewpoint discrimination is an “egregious” form of censorship, and the “government must abstain from regulating speech when the specific motivating ideology or the opinion or perspective of the speaker is the rationale for the restriction.”<sup>11</sup>

Even applied uniformly to all noncurricular clubs, an absolute ban unconstitutionally burdens both students’ right to free speech and their “corresponding right to associate with others in pursuit of a wide variety of political, social, economic, educational, religious, and cultural ends.”<sup>12</sup> While NCHS has more leeway to regulate public participation in events occurring on school grounds, student participation in outside gatherings and community events constitutes the type of off-campus association and expression over which the school has little authority.<sup>13</sup> NCHS may intervene only when there is evidence that participation in a particular event would substantially disrupt the school environment. And that disruption must be severe—something beyond upset administrators, complaints about the speech, or negative publicity.<sup>14</sup>

To be sure, schools also have greater authority over curricular or “school-sponsored” student expression. But there is no indication the TPUSA club’s activities qualify as such. In *Hazelwood School District v. Kuhlmeier*, the Supreme Court held a student newspaper was “school-sponsored” because it was part of a journalism class, heavily funded and supervised by the school, and subject to a teacher’s direct editorial control.<sup>15</sup> Unlike the newspaper in *Hazelwood*, which could “fairly be characterized as part of the school curriculum” and “designed to impart particular knowledge or skills to student participants,” the TPUSA club’s expressive activities appear to be “personal expression that happens to occur on the school premises.”<sup>16</sup> Absent more, the club’s official recognition and use of school facilities are not enough to make its activities “school-sponsored” and thus subject to greater oversight. Only when a school takes “affirmative steps in promoting the particular speech” does *Hazelwood* apply.<sup>17</sup> The limits that NCHS has put on the TPUSA club thus exceed what the First Amendment allows.

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<sup>11</sup> *Rosenberger v. Rector & Visitors of Univ. of Va.*, 515 U.S. 819, 829 (1995).

<sup>12</sup> *Boy Scouts of Am. v. Dale*, 530 U.S. 640, 648 (2000); see also *E. D. v. Noblesville Sch. Dist.*, No. 1:21-cv-03075-SEB-MPB, 2022 U.S. Dist. LEXIS 179762 (S.D. Ind. Sep. 30, 2022) (holding high school students in pro-life club pled facts sufficient to show school officials violated First Amendment freedom of association by revoking the club’s recognition).

<sup>13</sup> *Mahanoy*, 594 U.S. at 190–91.

<sup>14</sup> *Id.* at 192–93 (students “visibly upset” at student’s social media posts “d[id] not meet *Tinker*’s demanding standard”); *CL G*, 38 F.4th at 1279 (four emails from parents, an in-school discussion, and news reports about a student’s Snapchat post fell short of “*Tinker*’s demanding standard” for substantial disruption); *Flaherty v. Keystone Oaks Sch. Dist.*, 247 F. Supp. 2d 698, 704 (W.D. Pa. 2003) (public high school principal’s belief student speech would bring “disrespect, negative publicity, negative attention to our school and to our volleyball team” was “simply not sufficient to rise to the level of ‘substantial disruption’” under *Tinker*).

<sup>15</sup> 484 U.S. 260, 268–70 (1988).

<sup>16</sup> *Id.* at 270–71.

<sup>17</sup> *Westfield High Sch. L.I.F.E. Club v. City of Westfield*, 249 F. Supp. 2d 98, 117–18 (D. Mass. 2003) (student club’s expression could not be classified as “school-sponsored” simply because school opened its channels of communications and facilities for club’s use and provided adult sponsor who acted merely as monitor and did not substantively participate in club’s activities).

## II. NCHS's Gag Order Violates the First Amendment

NCHS's restrictions on students' ability to speak to the media are also unconstitutional. The school cannot forbid Wall—or any student—from speaking to the press in her personal capacity, especially outside of school hours and off school grounds. The fact that her comments might concern the school does not establish a “concrete threat” of substantial disruption of school activities.<sup>18</sup> Again, administrators' desire to quell controversy or unflattering press coverage is not a legitimate reason to muzzle students.<sup>19</sup>

Ordinarily, school officials consider potential discipline *after* a student has spoken, since what the student said and the precise context are critical to evaluating whether the speech caused or is reasonably likely to cause substantial disruption. By instead preemptively forbidding Wall from speaking, NCHS is imposing a prior restraint—the “most serious and the least tolerable infringement” of First Amendment rights, as it prevents speech before it occurs.<sup>20</sup> This drastic measure far exceeds the school's legitimate interest in avoiding disruption.

Wall has a right to speak with reporters about her club and to raise concerns about school officials' actions. Other students likewise cannot be barred from taking interviews simply because they address school-related issues. If administrators disagree with what a student says, they are free to respond publicly—but not to silence criticism.<sup>21</sup> This principle applies with even greater force when the speech occurs off school grounds and concerns matters of public importance like the schools' compliance with the First Amendment.

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FIRE urges NCHS to fulfill its constitutional obligations by lifting its restrictions on students' media communications and allowing the TPUSA club to participate in outside activities and otherwise enjoy the same rights and privileges as other student groups. We respectfully request a substantive response no later than October 24, 2025.

Sincerely,



Aaron Terr  
Director of Public Advocacy

Cc: Angela Hensley, Superintendent, Natrona County School District  
Megan Degenfelder, State Superintendent of Public Instruction, Wyoming  
Department of Education

<sup>18</sup> *Taylor v. Roswell Indep. Sch. Dist.*, 713 F.3d 25, 37 (10th Cir. 2013); *see also Tinker*, 393 U.S. at 508; *Holloman v. Harland*, 370 F.3d 1252, 1273 (11th Cir. 2004).

<sup>19</sup> *Mahanoy*, 594 U.S. at 185, 192–93; *Cl.G.*, 38 F.4th at 1279; *Flaherty*, 247 F. Supp. 2d at 704.

<sup>20</sup> *Nebraska Press Ass'n v. Stuart*, 427 U.S. 539, 559 (1976).

<sup>21</sup> *See N.Y. Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964) (First Amendment reflects “a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open”).